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July 31, 2024

I am pleased to enclose the 2023 Annual Report of the Mercer County Prosecutor's Office. This report is compiled in accordance with *N.J.S.A. 52:17B-111b* and reflects my staff's sincere dedication to public service and the people of Mercer County.

Very truly yours,

ANGELO J. ONOFRI
MERCER COUNTY PROSECUTOR

AJO/df

*MERCER COUNTY
PROSECUTOR'S OFFICE*



2023
ANNUAL REPORT

*ANGELO J. ONOFRI
MERCER COUNTY PROSECUTOR*

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MESSAGE FROM THE PROSECUTOR

It is my pleasure to submit this annual report reflecting the efforts of the men and women of the Mercer County Prosecutor's Office and their continued commitment to excellence both in the courtroom and in the community. These dedicated professionals work tirelessly to ensure that the victims of crime receive justice while being treated with dignity and respect.

During 2023, the men and women of the Mercer County Prosecutor's Office, despite some staffing challenges, continued their exemplary service and work in investigations, in the courtroom, and in the community. The investigative staff continued its excellence in conducting numerous high-profile investigations and operations removing narcotics, illegal firearms and child predators from the streets. Our legal staff secured numerous hard-fought convictions while maintaining the highest standards of professionalism and service. The staff also ensured that victims and surviving family members were treated with dignity and respect.

The Special Investigations Unit / Mercer County Narcotics Task Force seized 38.5 kilos of cocaine, two pounds of heroin, 186 pounds of marijuana and 1,431 LSD tablets. The unit also seized 24 illegal firearms.

In 2023, the Internet Crimes Against Children (ICAC) Unit conducted more than 118 investigations into child sexual abuse material and luring while also investigating 220 tips from NCMEC. The ICAC Unit made more than 34 arrests and seized more than 500,000 images depicting the sexual exploitation or abuse of a child.

Regrettably, in 2023, there were 31 homicide incidents in Mercer County with 32 victims. The dedicated men and women of the Homicide Task Force worked tirelessly to solve nearly 80 percent of the homicides and brought closure for the surviving family members.

Outside of the courtroom, the Mercer County Prosecutor's Office continued to maintain a visible presence in the community through our volunteer efforts with the Special Olympics of New Jersey, the Hamilton Police Athletic League, Womanspace, Project Freedom, the Trenton Area Soup Kitchen, Meals on Wheels and Code Read, to name just a few causes. We also partnered with Senator Shirley Turner and the Mercer County Bar Foundation to provide thousands of books to the students at the Darlene McKnight Elementary School. Members

of this office attended numerous civic association meetings, spoke to school and community groups, and gave their time and talents to a variety of non-profit organizations. The office also used a variety of forums to educate young people, parents, teachers and community leaders about the opioid crisis, the Immigration Trust Directive, illegal firearms, gangs, bullying, cyberbullying and use of force. We also addressed each of the topics as part of the Attorney General's "21 for 21" community outreach agenda. The office also coordinated a "Backpack for Back to School" event, distributing more than 2,000 backpacks.

There can be little doubt that the opioid epidemic has impacted every community in New Jersey. Mercer County has not escaped the scourge of heroin. In 2023, the Mercer County Prosecutor's Office continued our One Voice initiative in order to address the opioid epidemic. Partnering with the Prevention Coalition of Mercer County and Capital Health, we were able to teach the Overdose Prevention Act and opioid awareness throughout the county. We held several community forums with both parents and students, Do No Harm conferences, town hall meetings, and teacher education forums on raising awareness about opioids. The Mercer County Prosecutor's Office continued its partnership with Addiction Recovery Management & Marketing LLC (ARM&M) as part of the Attorney General's Operation Helping Hand initiative to refer low-level offenders to treatment.

The Mercer County Prosecutor's Office continued our historic partnership with Capital Health to supply the opioid antidote naloxone to every police department in the county. Coupled with the naloxone initiative, the Mercer County Prosecutor's Office, in partnership with the Mercer Chiefs of Police Association, formed the Community Addiction Recovery Effort (CARE) program. CARE provides treatment opportunities for non-violent offenders in order to break the cycle of crime and addiction.

Thanks to a grant from Attorney General Matthew Platkin, Mercer County and the Hamilton Township Municipal Court were selected as one of the pilot sites for Operation Opt for Help and Hope. Operation Opt for Help and Hope offers early intervention for non-violent narcotics offenders to help establish additional pathways to recovery that save lives and to minimize the deleterious impact that arrests and convictions can have on the stability needed to sustain recovery.

Mercer County also joined Attorney General Platkin's ARRIVE Together initiative. ARRIVE utilizes a community-based approach by partnering police officers and mental health professionals to respond to members of the community experiencing mental and behavioral emergencies.

It has been my honor and privilege to serve in the Mercer County Prosecutor's Office for more than 27 years and as the Mercer County Prosecutor for the past 9½ years. However, effective August 1, 2024, I will be retiring. I would like to extend my thanks to the Mercer County Chiefs of Police for their support and willingness to explore new methods to keep Mercer County a safe place to live and work.

Finally, to all the members of the Mercer County Prosecutor's Office, thank you for your dedication and hard work on behalf of the citizens of Mercer County. Without question, you are the best of the best. I have often watched in awe of your laser focus and tireless efforts to ensure that offenders are brought to justice and that victims, survivors and families are on their journey of healing. I doubt I will ever work with a better group of professionals.

Respectfully submitted,



ANGELO J. ONOFRI

MERCER COUNTY PROSECUTOR

MISSION STATEMENT

The mission of the Mercer County Prosecutor's Office is to preserve and enhance the quality of life of Mercer County residents by fostering an environment of law abidingness, safety and security. To that end, this Office is dedicated to the pursuit and attainment of justice.

To accomplish this mission, the following goals have been adopted to provide a framework for success:

1. To use reasonable and lawful diligence to successfully detect, investigate and prosecute criminal offenses within Mercer County;
2. To lawfully and aggressively pursue a coordinated, effective and all-encompassing proactive stance in narcotics enforcement;
3. To staunchly defend the rights of crime victims and to accord them the highest level of dignity, respect and sensitivity;
4. To fulfill a law enforcement leadership role by:
 - A. Assisting and working cooperatively with police and all law enforcement agencies;
 - B. Ensuring law enforcement compliance with Constitutional safeguards, state and federal laws, directives and regulations;
 - C. Identifying law enforcement needs, striving to meet those needs and establishing new and relevant initiatives;
 - D. Providing law enforcement with guidance, training and continuing legal education;
5. To elevate public confidence in the criminal justice system by promoting public awareness regarding the role of law enforcement, crime prevention, public safety, and victims' rights through relevant educational, community outreach and public information programs and policies; and
6. To take a community leadership role by forming partnerships with schools, community groups, public officials, and business leaders to spearhead coordinated efforts to eliminate conditions that precipitate crime and to reduce the incidence of crime.

Each and every member of the Office of the Mercer County Prosecutor enthusiastically pledges their collective talents, training, energy and commitment to this ongoing mission and its corresponding goals.

*CREED OF THE MERCER COUNTY
PROSECUTOR'S OFFICE OF
VICTIM WITNESS ADVOCACY*



I Believe:

- ❖ A *VICTIM* is the most important person to e
Mercer County Prosecutor's Office;
- ❖ A *VICTIM* is not an interruption to my work;
- ❖ A *VICTIM* is the purpose of it, I am not doing
the *VICTIM* a favor;
- ❖ A *VICTIM* is entitled to my help;
- ❖ A *VICTIM* is a human being with hurts and wants
like my own;
- ❖ A *VICTIM* is a person who brings me real needs
and it is my job to help as expeditiously and as
courteously as possible;
- ❖ Take care of the *VICTIMS* – that is why I am here.

INTRODUCTION

The Mercer County prosecutor, appointed by the governor and confirmed by the Senate, is the chief law enforcement officer in the county. According to the enabling statute, the prosecutor “shall use reasonable and lawful diligence for the detection, arrest, indictment and conviction of offenders against the law.”

GENERAL ORGANIZATION

The Mercer County Prosecutor’s Office is divided into four main components: legal, investigative, administrative and victim witness advocacy. The prosecutor and first assistant prosecutor are responsible for the supervision of all components and directly supervise the legal staff. The investigative staff is directed by a chief of detectives and a deputy chief. A business administrator oversees the daily business operations, and a support staff supervisor oversees the administrative staff.

The primary responsibility of an assistant prosecutor is to prosecute all criminal, quasi-criminal and juvenile delinquency matters within the jurisdiction of the Mercer County Prosecutor’s Office. Thus, without attempting to be all-inclusive, the legal staff supervises investigations and handles case screening, detention hearings, juvenile detention hearings, extradition and interstate agreement on detainers matters, juvenile waiver proceedings, grand jury presentations, arraignments and status conferences, plea negotiations, pretrial intervention (PTI) applications and appeals, pre-trial motions, drug court applications, trials, post-trial motions, sentencings, juvenile dispositions, appeals, expungements and municipal appeals. In addition, as an adjunct to criminal prosecution, assistant prosecutors initiate and handle civil forfeiture actions when appropriate. Legal advice is provided to Mercer County law enforcement agencies and to state and federal law enforcement agencies investigating criminal offenses occurring in Mercer County. The legal staff also teaches police, corrections officers and park ranger recruits at the Mercer County Police Academy and provides in-service training to Mercer County law enforcement officers on a variety of subjects. In addition, the legal staff members also serve as instructors at the Citizen Police Academies established in the county as well as the Trenton Police Explorers program.

The investigative staff operates in two somewhat distinct areas. First, prosecutor's detectives serve much like police detectives everywhere, conducting investigations of alleged criminality. Some investigations are reactive in nature. That is, an alleged criminal offense occurs and, if it is a matter appropriate for handling by this office, an investigation is initiated. In some cases, particularly those involving arsons, animal cruelty, homicides, serious traffic collisions, sexual assaults and child abuse, on-call detectives work directly with the municipal or state police agency having primary jurisdiction. In other cases, this office supports the agency having primary jurisdiction, providing investigative assistance when requested. Finally, this office conducts investigations, when appropriate, based directly upon citizen complaints or referrals from other agencies.

Other investigations are proactive in nature and are usually handled by the Special Investigations Unit/Mercer County Narcotics Task Force (SIU/MCNTF). In such cases, information regarding ongoing criminal matters, including but not limited to drug distribution, gambling, organized crime or governmental corruption, may lead to the initiation of an investigation. In support of such investigations, the Mercer County Prosecutor's Office may utilize undercover operatives and visual or electronic surveillance. Investigations may be handled solely by the SIU/MCNTF or be handled in conjunction with local, state, or federal law enforcement agencies.

In 2014, then-First Assistant Prosecutor, now Prosecutor Angelo Onofri formed the Mercer County Homicide Task Force in order to improve the quality of homicide investigations. The Homicide Task Force, with personnel from the prosecutor's office, Trenton Police Department, New Jersey State Police and other local police departments, investigates homicides using a vertical investigation/prosecution model. These investigations employ a variety of investigative techniques and use technology in order to solve these cases.

The second main category of investigative services involves support of the prosecution function. Prosecutor's detectives and agents prepare cases for juvenile proceedings, detention hearings, grand jury presentation, trial, and Megan's Law proceedings. The success of assistant prosecutors in court often depends upon the diligence, thoroughness and hard work of detectives and agents outside the courtroom in preparing files, guaranteeing the presence of witnesses and evidence, working with victims and witnesses, and investigating possible defenses. In addition, members of the investigative staff process the civil forfeiture of money and property from defendants, prepare

extraditions and interstate agreement on detainer cases, and recommend the forfeiture or return of firearms involved in domestic violence matters.

Investigative staff members seek to bring fugitive defendants before the court so that prosecution may proceed. This is an ongoing effort, conducted cooperatively with the Mercer County Sheriff's Office and with municipal, state and federal law enforcement agencies, supplemented by periodic fugitive sweeps designed to reinforce the message to defendants and to the public that the jurisdiction of the courts is not to be evaded. The Mercer County Prosecutor's Office also has two detectives assigned to the U.S. Marshals Service New York/New Jersey Regional Fugitive Task Force, as well as a detective assigned to the Regional Computer Forensics Laboratory.

Finally, staff members are heavily involved in training other law enforcement officers. From animal cruelty to serious motor vehicle collisions, wiretap investigations to search and seizure update training, the expertise of assistant prosecutors and detectives helps keep municipal police officers in Mercer County prepared and updated.

The administrative staff performs a variety of invaluable functions. First, the Mercer County Prosecutor's Office is a large and complex business organization, with a staff of more than 220 and a multi-million-dollar budget. Further, the Mercer County Prosecutor's Office is also the center of operations for the Mercer County Homicide Task Force and Mercer County Narcotics Task Force, which adds additional task force officers to our operation. Thus, the Business Office faces a myriad of personnel, payroll and purchasing issues that must be attended to on a daily basis. In addition, the staff prepares grant applications and then, when a grant is received, monitors expenditures and performance, and writes the requisite reports.

Second, the work of the legal and investigative staff creates mounds of paper and records, including legal briefs and other court papers, witness statements and investigative reports. The creation and proper recording of such documents require clerical and administrative support. In addition, the administrative staff receives incoming criminal complaints, opens files and is responsible for storing and retrieving those files and seeing that they get to the appropriate person or court when needed. Moreover, in order for the criminal justice system to function, file information must be shared, particularly with defendants and their lawyers. This vital discovery function is a major responsibility of the administrative staff. When files are completed, they must be closed out and appropriate notifications sent to the affected municipal courts, victims, submitting agencies and defendants.

This entire procedure was simplified by the full implementation of the InfoShare Case Management System. This system catalogues a case as it progresses from the original criminal complaint, through investigation, screening, and grand jury proceedings, to trial and finally appeal. Administrative staff, prosecutors and investigators are able to access the network to input data and scan or upload documents into the system, and an automated e-mail feature notifies assigned staff of important updates pertaining to specific cases. On the other hand, due to the mass of information that is available in the system, there is also a feature that blocks certain users from accessing confidential files such as investigative materials.

Once the information about a case is in the system, it can be marked as “discoverable” or “non-discoverable” material, and then uploaded into the cloud to be given to defense counsel. Digital evidence/discovery is accomplished through Evidence.com.

Although the entire office has dedicated itself to protecting and serving victims of crime, the Office of Victim Witness Advocacy is charged specifically with the responsibility of providing for the needs of crime victims and witnesses during the entirety of their involvement in the criminal justice system. Some of the services provided include notification of case status, notification as to inmates pending release on bail, parole or sentence expiration, and liaison with both office personnel and court staff, including court accompaniment, needs assessment, short-term counseling, and referrals to and assistance with community service agencies. The work of the Office of Victim Witness Advocacy not only directly benefits those receiving its services, but also increases the likelihood of willing victim or witness participation in the justice system, thus aiding the entire prosecution function.

The Public Information Office serves as a central focus for receiving media inquiries and for releasing information to the media on behalf of the Mercer County Prosecutor’s Office. With the work of prosecutor’s offices of increasing interest to the community, the Public Information Office guarantees that both media requests and the release of information under Executive Order 69 and the Open Public Records Act are handled accurately efficiently, and expeditiously.

CASELOAD ORGANIZATION

The Mercer County Prosecutor's Office utilizes a mixed organizational approach to manage its significant caseload, including both "horizontal" and "vertical" prosecution formats and aggressive case screening strategies.

The intake section of the prosecutor's office is responsible for the receipt, logging and initial processing of all complaints or investigative reports likely to result in indictable criminal prosecutions. The intake section provides a central point for data collection, file initiation and record keeping, which facilitate supervision of, and control over, a large and complex prosecution operation.

After the intake and detention functions have been completed, the vast majority of case files proceed to the Grand Jury Unit for further review and action. Assistant prosecutors assigned to this unit present cases to two grand juries, each meeting once per week. Following indictment, the case files processed by the Grand Jury/Screening Unit are reassigned to Trial Unit assistant prosecutors for motion practice, plea negotiations and trial. This form of organization is termed "horizontal" prosecution.

The Mercer County Prosecutor's Office utilizes a number of subject-matter prosecution units: Bias Crime, Special Victims, Cyber Crimes, Domestic Violence, Economic Crime, Homicide, Insurance Fraud, Serious Collision Response Team and Special Investigations. Such units are essential to permit the development of the high degrees of specialization needed because of the complexity and/or sensitivity of the matters prosecuted. Case files falling within the jurisdiction of a subject-matter unit are assigned there following completion of intake functions. Those cases not dismissed, downgraded, or diverted during the screening processes performed by unit investigative and legal staff are then presented to one of two other grand juries by assistant prosecutors assigned to the unit. Thereafter, indicted cases remain the responsibility of unit personnel for motion practice, plea negotiations and trial. This form of organization is termed "vertical" prosecution.

Indictable cases are downgraded for many reasons: when proof is lacking, when the facts of the case suggest that the elements of a disorderly or petty disorderly persons offense fit better, when victim or prosecution

interests will be furthered thereby, or a combination thereof. Downgraded cases, whether handled by the Grand Jury/Screening Unit or a subject-matter unit, are referred back to the appropriate municipal court for prosecution in the normal course, although in select cases, assistant prosecutors may be assigned to handle the municipal court prosecution. By retaining control of select downgraded cases, this office can manage the municipal court plea negotiation process and handle the trials of cases that are not resolved by plea negotiations.

In an attempt to obtain speedy disposition of selected indictable cases, the Screening Unit and the subject-matter units may designate cases for inclusion in Mercer County's Pre-Indictment Conference (PIC) Program. PIC cases generally include crimes of the third and fourth degree, which normally carry a presumption of non-incarceration, but also include all drug-free school zone crimes and any case that an assistant prosecutor believes would be amenable to a fast-track negotiated disposition. Defendants whose cases have been selected for PIC processing are called before a judge, provided with discovery materials, and given the opportunity to consult with an attorney. Defendants willing to accept proposed dispositions may be diverted to Pretrial Intervention (PTI) or enter guilty pleas to accusations as appropriate. PIC cases not resulting in dispositions are returned to the referring unit for grand jury presentation.

Original investigations, whether conducted solely by the prosecutor's office or in concert with other agencies, are handled either by an appropriate subject-matter unit or by other specifically assigned legal and/or investigative personnel.

The Family Court Unit handles the prosecution of offenses allegedly committed by juveniles (persons under the age of 18). This unit also initiates and processes selected applications to waive juvenile court jurisdiction in favor of adult prosecution. If a waiver is granted, the case will be transferred to the intake section and then to the Grand Jury/Screening Unit or appropriate subject-matter unit for grand jury preparation and presentation. The Family Court Unit's legal, investigative, clerical and victim witness staffs work closely with the intake and probation personnel of the Superior Court, Family Part, to assure proper dispositions of specialized and sensitive juvenile matters.

The Superior Court, Family Part, also handles adult cases involving violations of domestic violence restraining orders. Prosecutions of such matters are conducted by the Family Court Unit legal staff, with assistance from members of the Domestic Violence Unit and the Trial Unit as necessary.

In addition to the traditional prosecutorial roles of investigating, indicting and prosecuting those who violate the law, the prosecutor's office must also tend to a number of related responsibilities. The most significant of these are appeals, asset forfeitures and Megan's Law administration, each of which places substantial demands upon office manpower and resources. Somewhat less demanding functions, but nonetheless important, include evaluating applications for gun permits, expungements, PTI, intensive supervision (ISP) and monitoring parole eligibility. The office also aggressively pursues its training missions.

Finally, the prosecutor's office devotes substantial effort to crime prevention and other community outreach activities. The office is committed to year-round community involvement, as well as other outreach activities.

The Mercer County Prosecutor's Office also received grant funding through the United States Department of Justice, Byrne Justice Assistance Grant, as well as funding from the New Jersey Division of Criminal Justice to support victim witness, community justice, insurance fraud, CARE, Megan's Law and SANE/SART programs and technology upgrades.

During 2023, the Mercer County Police Academy graduated two Basic Course for Police Officers classes, a Methods of Instruction class, a Firearms Instructor class and the FBI Leadership Program. The academy is located on the campus of Mercer County Community College and offers basic recruit courses and advanced in-service training on a set schedule. Two basic recruit classes are scheduled to graduate every year with the training period lasting approximately 22 weeks for each class. The facilities include two state-of-the-art classrooms, use of the college libraries, the gym and a padded training room used for defensive tactics classes. A shooting range located in Hopewell Township and operated by the prosecutor's office was completely renovated in 2014 and is also part of the training facilities.

The academy has provided all Mercer County law enforcement officers with standardized training in homeland security and counterterrorism, as well as regional training on gangs, search and seizure, the Alcotest instrument, school resource officer training, fugitive apprehension and K9 units. Classes for the new recruits include topics such as domestic violence prevention, use of force, advanced crime scene processing, hostage negotiation and vehicle pursuits.

Additionally, the academy drastically cuts the cost of training new officers for the sheriff's office and municipal police departments while providing an opportunity for the sharing of resources, ideas and training between the county and the Office of Emergency Management, the state police, the FBI, and the state Division of Criminal Justice. Training is also offered to collegiate security forces.

LEGAL STAFF

ANGELO J. ONOFRI PROSECUTOR

Business Office
Civil Discovery
Forfeiture
HTF
Human Resources
ICAC
Officer Involved Shootings
OPRA
SIU

JENNIFER DOWNING-MATHIS FIRST ASSISTANT PROSECUTOR

HTF
ICAC
Internal Affairs
IT/Cyber
Officer Involved Shootings
SCRT
SVU/ML
Support Staff
Victim Witness

DEPUTY FIRST ASSISTANT KATHLEEN PETRUCCI

Appellate
Bias/Human Trafficking
CART (Chief)
Civil Discovery
Cold Case Task Force
Corrections (including DOC/Mercer
County Corrections Internal
Affairs)
DNA/Fingerprint Compliance
DV
Economic Crime
ERPO/Mental Health
Extraditions
HTF/SCRT/OIS
Insurance Fraud

DEPUTY FIRST ASSISTANT MICHAEL BORGOS

Expungements
Humane Law Enforcement
Internal Affairs
Interns
Juvenile
KROL
Municipal Appeals
Pre/Post Backlog Reduction Project
PTI
SIU

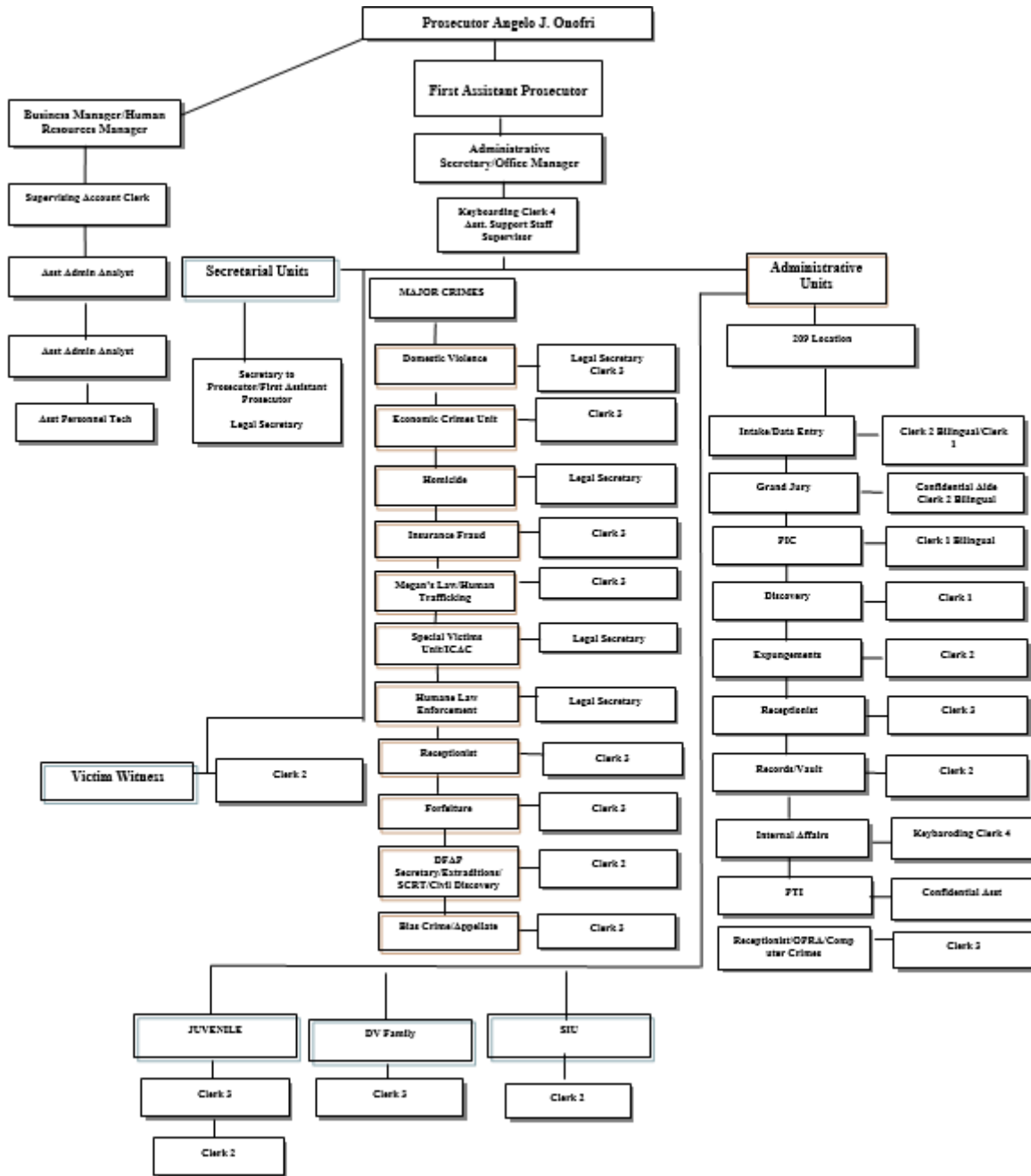
EXECUTIVE ASSISTANT TIMOTHY WARD

Detention Unit/PIC
DMFU
Drug Court/Veterans Court
Grand Jury
PCR/Habeas Corpus
Police Academy
Search Warrants
Trial

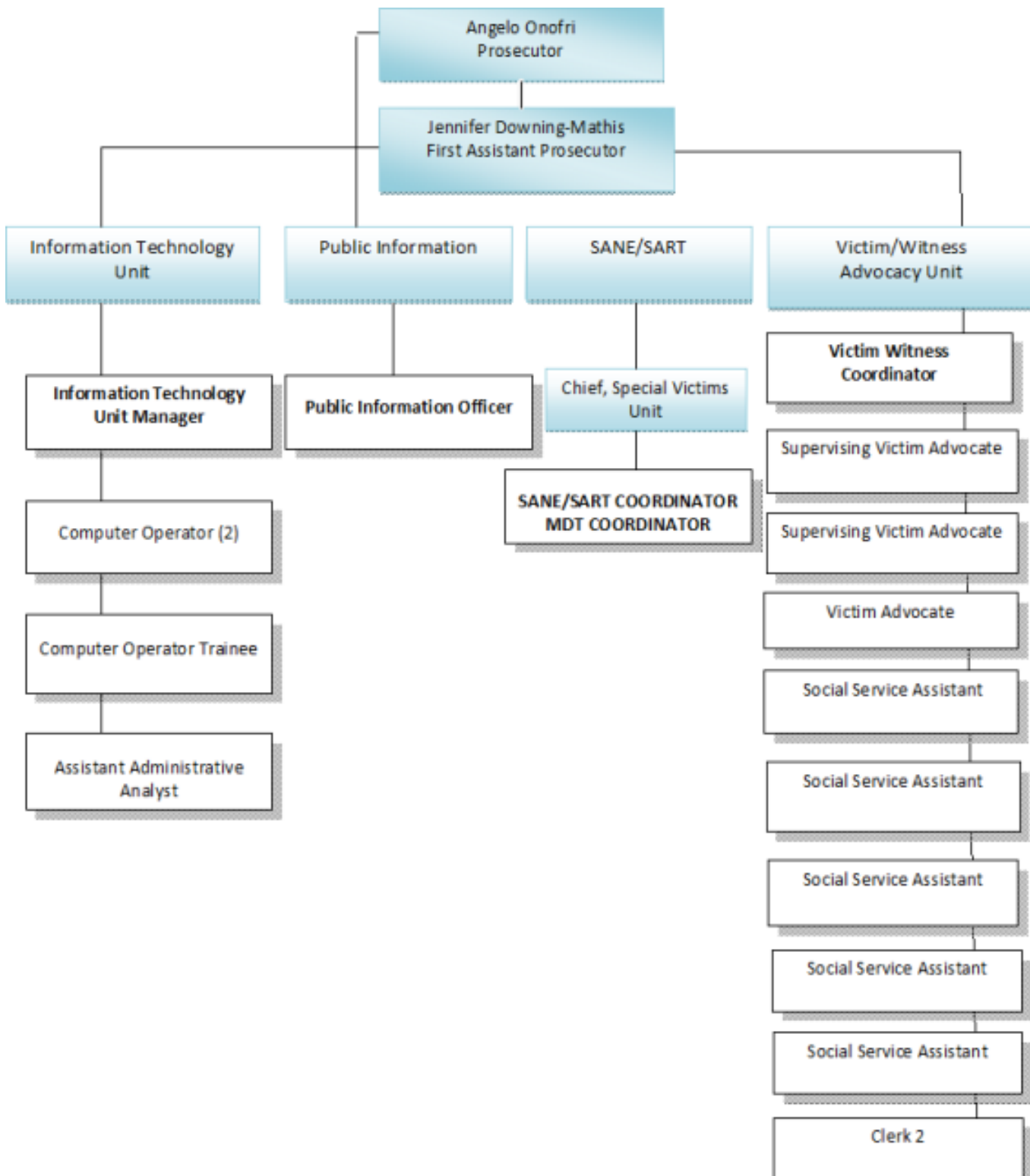
ADMINISTRATIVE ASSISTANT RACHEL COOK

Cold Case Task Force
HTF
Official Misconduct
OIS
Public Corruption
SCRT
SRT

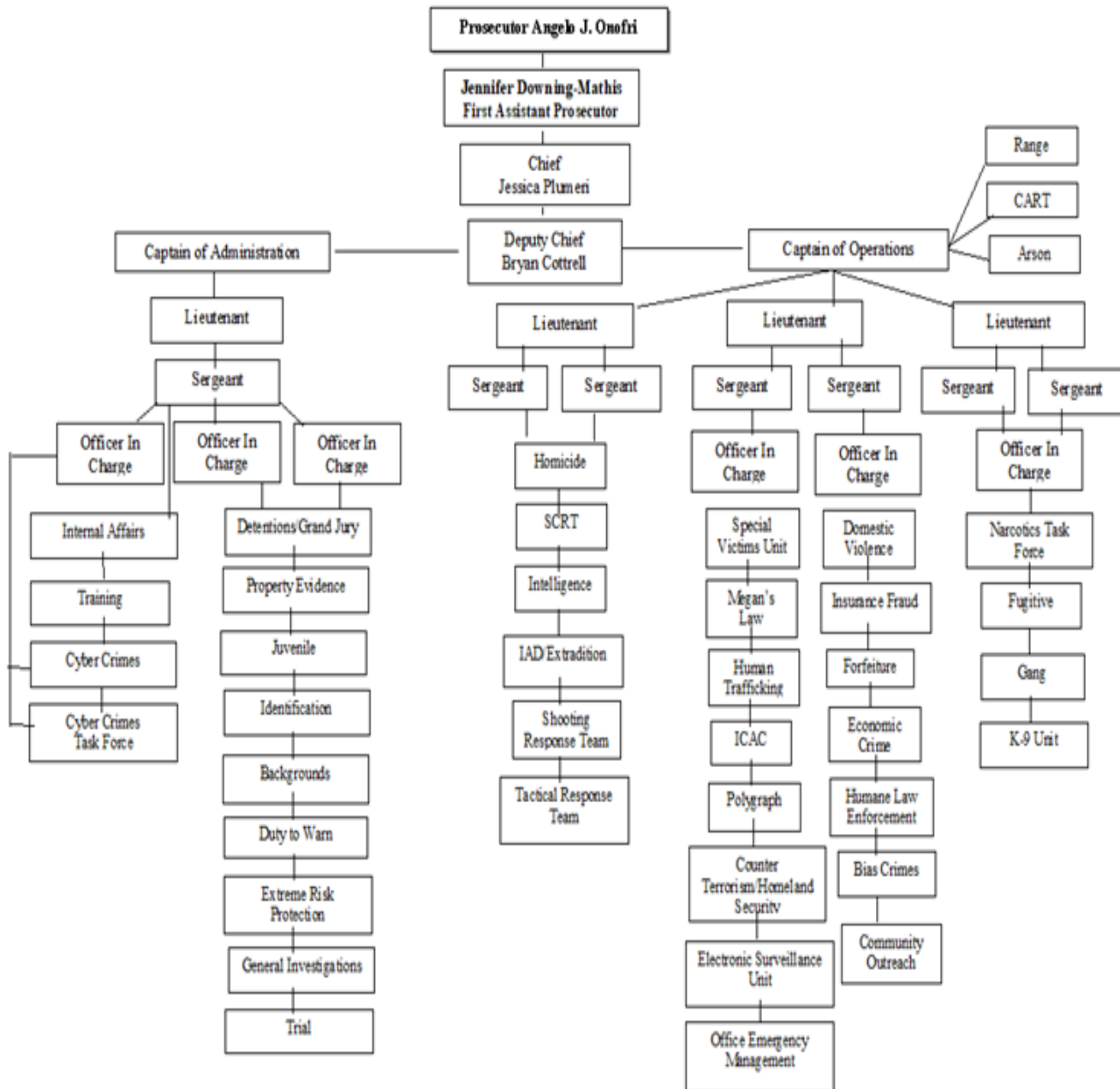
ADMINISTRATIVE/SUPPORT STAFF



PROFESSIONAL/TECHNICAL STAFF



INVESTIGATIVE STAFF



APPELLATE UNIT

The Appellate Unit is responsible for representing the state in appeals from convictions obtained by this office that the state Division of Criminal Justice refers to our office for disposition. The unit is also responsible for conducting sentence oral arguments before the state Appellate Division, and for responding to petitions for certification to the New Jersey Supreme Court. It is the mission of this unit to aggressively defend the convictions obtained by this office, by trial or guilty plea, and the sentences imposed by our trial courts, as well as favorable and legally sound outcomes of motions decided by the trial courts.

The unit is centralized with one attorney working as a primary assignment and numerous other attorneys working as secondary assignments to successfully complete those appellate matters undertaken by the office. The unit's supervising attorney oversees appellate research and is available to conduct or assist in trials, motions and various legal issues that arise in the courtroom, as well as research projects for other members of the staff. The supervising attorney also assists in emergent applications such as emergent and interlocutory motions for leave to appeal and pretrial detention appeals. The attorneys who work in the unit are responsible for handling the writing of appellate briefs and any oral arguments before the Appellate Division and Supreme Court.

During this past year, 21 appeals were referred to this office by the Office of the Attorney General. Of the 16 referred appeals resolved this year, 11 cases were affirmed, three convictions were reversed, two cases were remanded, and one was withdrawn or dismissed.

Of note, the state prevailed in *State v. Jamil Hilton*, in which the Appellate Division affirmed the defendant's convictions for first-degree robbery, carjacking and other offenses, as well as his sentence of life in prison without parole, pursuant to New Jersey's "Three Strikes" law.

In that case, the defendant arrived at an auto outlet posing as a potential customer. He told the victim he was interested in purchasing a particular vehicle. The victim led him into the dealership to fill out paperwork, at which time the defendant pulled out a handgun and pointed it at the victim's head. The gun-wielding defendant then forced the victim into a back room, took money from a drawer and the victim's wallet, then took the keys to a Lexus and stole the vehicle.

Security footage from the dealership captured the defendant's actions. Two days later, a detective, aware of the bulletin disseminated about the robbery, went to the defendant's house. When he saw the defendant, he recognized him from the bulletin, though he was not wearing eyeglasses and had shaved his beard. The detective told defendant that he believed the defendant was "a robbery suspect," to which defendant responded "yeah, you got me." The defendant was then arrested.

While in police custody but before his interrogation, the defendant told detectives that the gun used in the robbery was hidden underneath a bush on a grassy lot across the street. Upon inspection of that site, police recovered a bag containing two BB guns and some clothing. During his interrogation, a video recording that was played for the jury at trial, the defendant confessed that he walked to the dealership and, holding a BB gun, stole \$200 and drove away in the Lexus. As the defendant admitted to the police, he disposed of the glasses and sweatshirt he was wearing during the robbery and shaved his beard.

At trial, the defendant retracted his confession, claiming that he was not the person who robbed the dealership and stole the Lexus. The defendant asserted that, when he spoke with police, he was under the influence of 10 bags of heroin he had ingested earlier, which had affected his judgment.

The victim identified the defendant at trial, though he had not participated in any pretrial identification. Detectives familiar with the defendant testified to his identity at trial.

On direct appeal, the defendant raised a number of arguments, namely that his actions did not legally constitute carjacking, that the detectives impermissibly testified as to his identification from the surveillance footage, that the flight charge was not correct, and impermissible jury questions.

Finding all elements of the carjacking to be satisfied by the evidence presented at trial, the Appellate Division quickly dispensed with that argument. So, too, with the jury question argument, as the appellate court found no plain error in a question aimed at discerning the jury's opinions on DNA evidence tied into the burden of proof.

After supplemental briefing and lengthy oral argument as to the identification argument, the Appellate Division ultimately sided with the state and deemed that any error in the identification was harmless given the

surveillance video itself, the corresponding descriptions by the victims about what happened at the crime scene, the admissions of guilt by the defendant at his residence and in his formal interrogation at the police station, and the discovery of the discarded bag of BB guns hidden under a bush where the defendant said he had left them. The court found that the compelling nature of this other incriminating evidence rendered the admission of the officers' lay opinions harmless.

Similarly, the Appellate Division rejected the defendant's argument as to the propriety of the flight charge, finding the flight charge did not distract the jury from its primary task of determining the defendant's guilt, and the fact that the individual in the surveillance video fled the scene does not contradict the issue of identity.

Accordingly, the Appellate Division affirmed the defendant's convictions and sentence. The Supreme Court subsequently denied the defendant's petition for certification.

All petitions for certification filed by defendants to the New Jersey Supreme Court were denied. Cases on the Sentence Oral Argument calendar were mostly affirmed. Finally, defendants' appeals of orders granting pretrial detention were mostly all affirmed in favor of the state.

BIAS CRIME UNIT

The Bias Crime Unit is committed to the prevention of bias crimes and the improvement of law enforcement's relationship with the community. Bias crimes are acts of prejudice, hate or violence directed against individuals, groups or institutions because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin or ethnicity. These incidents may result in physical or emotional injury, or property damage. A person who is convicted of a bias-motivated crime is subject to extended terms of imprisonment.

The unit works directly with local, state and national police agencies to apprehend and prosecute bias crime offenders. The unit also acts as a liaison between law enforcement and community groups that have an interest in bias incidents, ensuring that the lines of communication are open.

One assistant prosecutor, two detectives and one administrative assistant staff the unit as secondary assignments.

Bias incidents are reported to the prosecutor's office by various methods but most commonly through the Bias Incident Offense Report. In New Jersey, when a police agency investigates an actual or potential bias crime, a report summarizing the salient aspects of the incident must be filed with the state Office of the Attorney General and the county prosecutor's office no later than 24 hours after the offense was reported so that all appropriate personnel may respond promptly.

One hundred fifty-six bias incidents were reported to the unit in 2023. Seven of these incidents resulted in criminal charges.

In 2023, the Bias Unit chief was involved with the roll out of the Prosecutor's Youth Inclusion Program. This Mercer County pilot program was created with the goal of addressing bias-related incidents in which our elementary, middle school and high school kids were engaged. It has evolved from simply addressing bias incidents to combating everyday youth conflict and bullying through restorative practices.

DOMESTIC VIOLENCE UNIT

The Domestic Violence Unit seeks to protect victims of domestic violence by holding batterers accountable for their actions. To reach this goal, the unit prosecutes cases despite uncooperative or unavailable victims, and provides victims with support throughout the disposition of their case. The unit also educates the community in the dynamics of domestic violence and its prevention while providing mandatory training to law enforcement agencies concerning domestic violence investigations and charging.

When fully staffed, the DV Unit is comprised of five assistant prosecutors, four detectives, and two victim witness advocates. Four assistant prosecutors, three detectives, and one victim witness advocate are assigned to the cases opened or investigated as indictable or felony cases to be prosecuted in the Superior Court – Criminal Part. One assistant prosecutor, one detective, and one victim witness advocate are assigned to the cases opened as restraining order violations to be prosecuted in the Superior Court – Family Part. The advocates meet with victims to provide case information, emotional support, address financial and housing needs, and make referrals to outside agencies when needed. The advocates also assist with navigating court appearances and will accompany victims to same. Importantly, the advocates assist in the completion of New Jersey Crime Compensation Office claim applications.

During 2023, the DV Unit reviewed more than 1,439 complaints related to domestic violence with charges ranging from attempted murder and aggravated assault to terroristic threats and harassment. Those 1,439 complaints included 629 cases in which the top charge was a disorderly persons offense and 330 cases that were initially screened as downgrades to the municipal courts or remanded to the Family Part for disposition. The remaining complaints were opened as indictable cases to be prosecuted in the Criminal Part. The DV Unit has been able to immediately screen and review every domestic violence complaint in Mercer County within 12 hours of its issuance. This has allowed for immediate follow-up with the issuing officer if required and allows for the victim witness advocate to contact the victim at an early stage in the prosecution. When complaints are remanded to the Family Part, the DV Unit continues to prosecute the case. These restraining order violations are routinely screened to identify potential stalking cases.

The DV Unit also handles firearm forfeiture actions involving firearms seized during the investigation of domestic violence incidents. To determine whether a weapon should be returned to its owner, an assistant prosecutor reviews the circumstances of the seizure, speaks to the victim, and reviews all available records to determine whether there are any prohibitions preventing weapon possession. Determinations to return a weapon are only made after a complete review of the subject's background is conducted. If a Firearm's Purchaser Identification Card or firearm is to be forfeited, the appropriate motion is filed with the court and a hearing takes place. In 2023, there were 37 such DV Weapons files.

During 2023, the DV Unit continued working cooperatively with the Homicide Task Force, Special Victims Unit and Special Investigations Unit. *State v. Shameka Blackwell* was prosecuted throughout 2023, in which the defendant is charged with first-degree murder, first-degree arson and first-degree felony murder in relation to a domestic violence incident. The case has involved several motions and testimonial hearings and remains pending in 2024. *State v. Larry Sutphin*, in which the defendant was charged with kidnapping, burglary, aggravated assault, terroristic threats, criminal restraint and tampering with a witness, was also prosecuted throughout the year. Sutphin pleaded guilty to second-degree tampering with a witness and was sentenced to seven years in prison. In *State v. Gosley*, the defendant pleaded guilty to third-degree aggravated assault and received a sentence of five years imprisonment. In *State v. Destiny Self*, the defendant pleaded guilty to second-degree aggravated assault and received a sentence of four years in prison pursuant to the No Early Release Act. In *State v. Miguel Vargas*, the defendant pleaded guilty to two counts of burglary and was sentenced to five years in prison. In *State v. Naszair Conway*, the defendant pleaded guilty to terroristic threats and was sentenced to a prison term of four years. Numerous other defendants were prosecuted, convicted and sentenced to probation and/or terms of incarceration providing both offender deterrence and/or offender rehabilitation - both of which are important in the DV Unit's effort to keep victims safe from future acts of domestic violence.

When the DV Unit encounters cases in which an act of violence was committed in the presence of a child, the unit actively notifies the state Division of Child Protection and Permanency and screens the case for prosecution as a child endangerment matter for engaging in violence while in the presence of a child.

The DV Unit has also taken an active role in combating witness tampering, intimidation and stalking. The unit's use of subpoena power to retrieve calls made from the county jail, victim interviews, and consensual intercepts have led to witness tampering charges in some cases.

The DV Unit continues to take an active role in pursuing violations of probation to ensure probationers are receiving domestic violence/substance abuse counseling and abiding the provisions of their sentences requiring them to refrain from making contact with their victims. This is part of a continuing effort to keep victims safe after the disposition of their cases.

The DV Unit also takes part in a wide range of community service projects aimed at preventing domestic violence. Unit members frequently speak about domestic violence to community organizations and provide training to community volunteers (Domestic Violence Response Team advocates) and local police departments. Members of the DV Unit teach a module on domestic violence to new police recruits at the Mercer County Police Academy. Further, all members of the DV Unit rotate on-call responsibilities. While on call, DV assistant prosecutors are available to members of law enforcement by phone 24 hours per day and 7 days per week to answer legal questions, give advice, and assist in the procurement of search warrants and communication data warrants as necessary.

ECONOMIC CRIME UNIT

The Economic Crime Unit is responsible for the investigation and prosecution of fraud, theft, and related “white collar” crimes, particularly those involving deception and unlawful concealment. Specifically, the unit is focused on fraud-based crimes, including theft by deception, theft by wrongful disposition, forgery, issuing bad checks, commercial bribery, trafficking in identity theft, and embezzlement. Public corruption, official misconduct and attorney misconduct involving fraud also fall within the unit’s purview.

The Economic Crime Unit investigates matters referred from county, state and federal departments and agencies, municipal police departments, the New Jersey Office of the Attorney General, public and private companies, and private citizens. In 2023, the unit worked with other agencies, including the United States Postal Inspection Service, the New Jersey Division of Taxation, the New Jersey Division of Criminal Justice and the Mercer County Division of Consumer Affairs.

Among the wide variety of matters investigated by the Economic Crimes Unit, in 2023 it continued to increase its focus on predatory practices against citizens and worked hand in hand with the Insurance Fraud Unit.

The legal staff of the unit is comprised of one assistant prosecutor who serves as unit chief as a primary assignment and one assistant prosecutor who serves the unit as a tertiary assignment. The investigative staff includes two full-time detectives and one sergeant.

FAMILY COURT UNIT

The Mercer County Prosecutor's Family Court/Juvenile Unit is responsible for prosecuting all juvenile complaints and non-indictable domestic violence contempt complaints. Four hundred and seventy-five complaints were filed in the Juvenile Unit in 2023. Sixty-one cases were diverted to the Juvenile Conference Committee or an Intake Service Conference, while 67 cases were handled by the juvenile hearing officer. Twenty-two complaints were transferred out of Mercer County to be prosecuted in the county in which the juvenile resides. Three hundred and twenty-five cases were scheduled on the formal calendar before the Superior Court Family Part Judge. Several hundred cases of domestic violence were downgraded to Family Court. There are three assistant prosecutors, one agent and two administrative assistants staffing the unit as their primary assignments. One detective is assigned to the unit as a secondary assignment to assist the agent. One staff member from the Office of Victim Witness Advocacy is also assigned to the unit.

In 2023, Mercer County continued the Interventions Moving Probation and Community Together Program (IMPACT). The goal of the IMPACT program is to organize community resources and collaborate with program partners to optimize services and eliminate behaviors leading to chronic delinquency. The program recognizes the importance of utilizing resources to support each juvenile in successfully completing his or her probation term and establishing a successful lifestyle in the community. This program is comprised of an assistant prosecutor, a deputy assistant public defender, several probation officers, court personnel, social service agencies and community partners. This group meets bi-monthly to review each juvenile's level of probation supervision and need for additional services provided by community partners.

Consistent with the prosecutor's policy to prosecute certain serious juvenile offenders, applications to waive the Family Court's jurisdiction and to prosecute juveniles as adults were filed in four cases. In one of the cases, the juvenile was waived after a hearing. In the other three cases, the juveniles voluntarily waived up to the Criminal Part. The prosecutor's office takes these decisions very seriously. An assistant prosecutor from the Juvenile Unit (or the Homicide Unit in homicide cases) screens the case and writes a memo that is then reviewed by the chief of the unit, who makes a recommendation. The memo is then sent to the deputy first assistant

prosecutor, the first assistant prosecutor and the prosecutor before a decision is ultimately made. The statutory factors set forth in 2A:4A-26.1 are considered in each case prior to filing a waiver. Only after this thorough review process is complete does the motion for waiver get filed. Should additional information pertinent to the waiver decision come to light at a later date, the prosecutor retains the right to withdraw such motions when justice requires it.

As life continued to return to normal after the Covid 19 pandemic, the chief of the Juvenile Unit was able to return to the effort of providing law-related education. Aside from teaching at the Mercer County Police Academy, the unit chief engaged in some school appearances to discuss topics such as cyberbullying. There was also a collaboration between the Juvenile Unit and the Bias Unit to jointly conduct presentations in those respective, sometimes overlapping, areas of law. Additionally, the unit chief accompanied representatives from PEI Kids, a social service agency dedicated to providing prevention, intervention and advocacy programs for children, in conducting weekly group sessions in three Trenton middle schools, discussing issues from substance use to gun violence to conflict resolution.

The unit chief continued participation in the Youth Services Commission. The chief is a member of the Executive Committee of the Youth Services Commission (YSC) in order to provide a more influential voice in the administration of YSC services. The chief is active in a statewide program entitled the Juvenile Detention Alternative Initiative. In addition, the unit chief continues to be a member the executive committee of the Juvenile Prosecutors' Leadership Network. This group is comprised of the chiefs of juvenile units from around the state. They meet quarterly to discuss issues in the Juvenile Justice System. Last year, the executive committee sought formal recognition from the County Prosecutors Association of New Jersey, as well as the Office of the Attorney General, in order to establish statewide standards for New Jersey prosecutors in an effort ensure that professionalism and consistency is maintained in the highly specialized area of juvenile prosecution. As a result of this formal recognition, the Juvenile Prosecutors' Leadership Network continues to submit comments on new rules in the area of juvenile justice.

This year, the unit chief continued her participation in the establishment of a restorative justice hub pursuant to the “Restorative and Transformative Justice for Youths and Communities” pilot program. The chief attended several committee meetings and site visits to continue the progress towards launching this program to Trenton community members. While still in the planning phases of the program, the chief maintains an active role in the process.

The unit chief also sits on the Mercer County Youth Fire Setter Advisory Committee. The program gathers input from law enforcement, fire departments and other community safety groups, along with educational and therapeutic professionals, to continue to offer a program for treating children who are prone to setting fires and to help identify those children who do not pose a risk of future pyromania. The program is diversionary in nature in that it works to keep children from being thrust into the Juvenile Justice System when their behaviors do not threaten serious harm to people or property. Another diversionary program that the unit chief is involved in is the Prosecutor’s Youth Inclusion Program. This Mercer County pilot program was created with the goal of addressing bias-related incidents in which our elementary, middle school and high school kids were engaged. It has evolved from simply addressing bias incidents to combating everyday youth conflict and bullying through restorative practices.

FORFEITURE UNIT

Under New Jersey law, *N.J.S.A. 2C:64-1, et seq.*, police and other law enforcement agencies are empowered to seize and forfeit currency, motor vehicles, real property and other assets that are derived from criminal activities or used in furtherance of criminal activity. The goal of the Mercer County Prosecutor's Forfeiture Unit is to ensure that criminals do not profit from their crimes. Forfeiture funds are used for a wide range of law enforcement purposes, including the purchase of electronic surveillance equipment, motor vehicles, dashboard video cameras for municipal patrol cars and training.

The Forfeiture Unit continues to work closely with all law enforcement agencies in order to coordinate pre- and post-seizure planning. A majority of forfeiture cases arise from narcotics investigations initiated by law enforcement, including the municipal police departments in the county, the sheriff's office, the New Jersey State Police, the Federal Bureau of Investigation, the Drug Enforcement Administration and the Mercer County Prosecutor's Special Investigations Unit. In addition to narcotics cases, forfeiture actions also arise out of crimes such as eluding, armed robbery, murder, fraud, computer crimes, child pornography, arson and domestic violence offenses.

The Forfeiture Unit continues to review all aspects of the forfeiture process to ensure compliance with evolving standards in forfeiture law, to increase both efficiency and effectiveness, to improve communications with owners, and to keep agencies and officers apprised of the law. Significant steps were taken to standardize procedures and paperwork among the various agencies involved.

In 2023, a total of 261 forfeiture actions were submitted for initial review. Two hundred twenty-four cases were approved and opened for civil action. One hundred forty-eight complaints were prepared and filed with the Superior Court of New Jersey Law Division-Special Civil Part. The 224 total seizures included 108 vehicles and \$612,688.47 in currency seized by law enforcement and forwarded to the Forfeiture Unit for review and civil action.

Currency seizures totaling \$181,898.73 were forfeited in 2023. In addition to the forfeited currency, two auctions were conducted, and nine forfeited vehicles were sold resulting in \$26,676. Assorted pieces of jewelry

were sold resulting in \$117,550. Total assets sold at auction resulted in \$179,529. The total value of forfeited property was \$326,124.73. Ten county motor pool vehicles were sold resulting in \$35,303.

Of the 108 vehicles seized in 2023, 19 were seized for evidentiary purposes related to either a homicide or serious motor vehicle investigation. Thirty-six vehicles were returned to the lienholder, 28 returned to the owner, and 44 are pending civil disposition.

The Forfeiture Unit operated in 2023 with one assistant prosecutor acting as the unit chief, as well as two assistant prosecutors and one agent. Administrative staff continued to have a significant role in the unit, helping with the organizational tasks necessary for the policy and procedure review, and then being delegated appropriate responsibilities that were identified through that same review.

The review has also allowed other tasks that were previously handled on an ad hoc basis to be standardized and delegated in significant part to the agents. This has increased efficiency and allowed for more optimal use of the unit's resources.

In the course of the review, standardized forms and procedures have been put in place to increase the amount and ease of communication with owners of property seized for contraband. The integration of the Forfeiture Unit's documents with the database used by many other units in the office has also been completed, which has increased communication between units regarding forfeiture matters.

The unit has continued to investigate property in dispute to determine its status as contraband. This investigation extends to bank accounts used in illegal schemes that are confiscated as the proceeds of illegal activity, and automobiles purchased and maintained by drug dealers, but registered in the name of a "straw" owner in order to avoid detection by law enforcement. The unit's agents work with local law enforcement to uncover these concealed assets. Much of the property seized for forfeiture is connected to illegal narcotics crimes. One significant goal of the unit's investigations into the contraband status of seized property has therefore been to determine whether the contraband was owned and used by a dealer as opposed to a "user" or a possessory only offense. Although possessory offenses are a basis for forfeiture under the New Jersey statute, the focus of the forfeiture has been primarily on property involved in distribution.

The unit chief is charged with the responsibility of reviewing cases to assess whether seized assets are forfeitable under *N.J.S.A. 2C:64-1, et seq.*, filing complaints and resolving cases by way of settlement or trial. This assistant prosecutor also assists law enforcement officers in obtaining seizure orders for various types of property, and trains officers on the policies and procedures of the civil forfeiture program. Because the prosecution of forfeiture cases is civil in nature, assistant prosecutors in this unit must be familiar with civil case law and the rules of civil procedure. This distinguishes forfeiture attorneys from other assistant prosecutors.

GRAND JURY UNIT

The Mercer County Prosecutor's Grand Jury Unit handles cases identified as suitable for grand jury preparation during municipal case screening and cases referred back for grand jury preparation from PIC. The unit compiles, analyzes, prepares and presents cases to the grand jury.

The Grand Jury Unit is comprised of a unit chief, three assistant prosecutors and detectives from the trial teams, and agents and two clerical staff who serve on a primary assignment basis.

The investigative component of the unit is responsible for accumulating and organizing all police reports, laboratory reports, criminal history records and complaints. The investigative staff is also responsible for identifying the essential witnesses, conducting any necessary additional investigation. The unit chief and assistant prosecutors review the cases for legal sufficiency, identify the need for additional investigation, draft indictments appropriate to the facts of each case and present the evidence to the grand jury. The legal staff also continues to screen out cases that, because of changed circumstances, are no longer suitable for indictable prosecution, and either administratively dismiss or downgrade those cases to municipal court or refer them to the Remand Program. The support personnel are responsible for scheduling cases for indictment, subpoenaing witnesses, typing the schedule and reporting the results, and maintaining statistics.

In 2023, the Mercer County Prosecutor's Office presented cases representing a total of 1,692 defendants to the grand jury. Of those, 1,675 were indicted and 17 were no billed.

MERCER COUNTY HOMICIDE TASK FORCE

In November 2013, the Mercer County Prosecutor's Homicide Unit began operating as the Mercer County Homicide Task Force. The task force is comprised of assistant prosecutors, county detectives, municipal police department detectives, predominately from Trenton, and detectives and support staff. Presently, a senior supervising assistant prosecutor is designated as the unit chief, one senior assistant prosecutor is assigned in a full-time capacity and 10 additional assistant prosecutors work in the unit in an on-call capacity. A lieutenant of county detectives is responsible for the daily supervision of two sergeants, county detectives, Trenton Police Department detectives, municipal department detectives, New Jersey State Police detectives and two law enforcement agents assigned as intelligence officers. Overall responsibility for the investigative side of the unit falls under the command of a captain of county detectives.

The task force is responsible for the vertical prosecution of all homicides, certain attempted homicides, death-by-auto cases and certain cases specially assigned by the prosecutor. Local police departments are required to notify the on-call homicide detective, who then responds to all cases that fit into the above categories. The task force also investigates police-involved shootings, suspicious deaths where the circumstances and cause of death may not be immediately apparent, drug-related deaths and unattended deaths. In addition, detectives and assistant prosecutors from the Homicide Task Force form the backbone of the Mercer County Child Abduction Response Team (CART).

There were 140 cases opened by the task force in 2023. A total of 32 investigations were determined to be homicide, with 24 of those cases being shooting-related deaths. Considerable investigative and legal resources were utilized for the lengthy and difficult preparation necessary for both the investigative and charging of these cases as well as the grand jury and trial presentation of these cases. Having the prosecuting attorney assigned from the onset allows for the input of legal guidance at the earliest possible stages. This cooperation between legal and investigative personnel from the inception of the case has resulted in an extraordinarily high conviction rate of indicted defendants.

SIGNIFICANT CASES

STATE V. AARON ADAMS

At approximately 6:30 p.m. on June 1, 2020, Ewing police were alerted to a deceased female in a home on Glen Stewart Drive. Upon arrival, they located the victim, identified as Ashley Davis, 32, of Levittown, Pennsylvania, in the basement. There were visible wounds to Ms. Davis' body and she was pronounced dead at the scene. During the execution of a search warrant at the home, two air rifles and a handheld BB gun were located in the same room as the victim's body. Numerous used bags of suspected heroin with various stamps were also discovered during the search. Following an autopsy, Ms. Davis' death was ruled a homicide. Investigation revealed she suffered a gunshot wound by a metal air gun pellet that struck internal organs and caused massive internal bleeding. The victim's boyfriend, Aaron Adams, who resided at the Glen Stewart home, was charged with murder and related weapons offense.

On June 16, 2022, a Mercer County jury found Adams guilty of first-degree murder, first-degree felony murder, first-degree robbery, first-degree kidnapping, second-degree possession of a weapon for an unlawful purpose and second-degree unlawful possession of a handgun. On February 1, 2024, he was sentenced to a total of 45 years in state prison subject to the No Early Release Act and five years of special parole supervision.

STATE V. TYZIR HAMILTON

On the morning of August 9, 2020, Tyzir Hamilton and two co-defendants, all members of Trenton's H-Block gang, drove to the area of South Trenton to locate "opps" - opposing gang members. They found two 18-year-olds, William Irizarry and Julius Vargas, standing outside a convenience store at the corner of Centre and Federal streets. While one co-defendant remained in the car as the getaway driver, Hamilton and his other co-defendant jumped from their vehicle and began firing 9mm handguns at the victims. Vargas was struck once in the abdomen and ran inside the store. Irizarry ran down the sidewalk to escape the barrage of gunfire, but both Hamilton and his co-defendant pursued him. Irizarry was shot while running and fell in the middle of Centre Street. Both Hamilton and his co-defendant then took turns firing their handguns into his motionless body. Irizarry was struck by gunfire a total of 10 times and was pronounced deceased at the scene. Vargas was

transported to the hospital but succumbed to his injuries that morning. Hamilton and his co-defendants fled the scene in their vehicle.

On August 21, 2020, shortly after Vargas' funeral, Hamilton and one of his co-defendants went to the cemetery and recorded a video of themselves stomping and celebrating on Vargas' grave. They also stole Vargas' grave marker and a memorial pin that had been left with the flowers.

On September 21, 2023, a Mercer County jury found Hamilton guilty of two counts of first-degree murder, first-degree conspiracy to commit murder, second-degree possession of a weapon for an unlawful purpose and second-degree unlawful possession of a weapon. Hamilton and the other shooter were each sentenced to a total of 60 years in state prison subject to the No Early Release Act and five years of special parole supervision.

INSURANCE FRAUD UNIT

Funded by a grant awarded to the Mercer County Prosecutor's Office by the New Jersey Office of the Insurance Fraud Prosecutor, the Insurance Fraud Unit is responsible for the investigation and prosecution of a variety of criminal offenses that fit the general description of insurance fraud. Insurance fraud involves one or more misrepresentations to an insurance carrier concerning insurance coverage by someone for personal gain, and harms both insurance companies directly and the public through higher insurance premiums. The unit is comprised of one assistant prosecutor, a detective, a sergeant of detectives and a secretary.

The unit seeks to promote a collaborative effort among law enforcement, the community, insurance carriers and the state Insurance Fraud prosecutor to combat insurance fraud. This past year, the Insurance Fraud Unit has worked with the Economic Crime Unit on multiple occasions due to the overlap in criminal schemes that encompass both insurance fraud and other economic crimes.

The unit receives referrals from the state Office of the Insurance Fraud Prosecutor, directly from insurance companies, from police departments and other public agencies, and also initiates its own investigations - often from matters that first arose as economic crimes.

At times, investigations by the Insurance Fraud Unit reveal that particular acts may not be criminal or may lack the level of proof required by our criminal statutes, but nonetheless demonstrate a failure to meet professional standards in regulated areas. In these instances, the matter may be referred to the state Insurance Fraud prosecutor for civil action, to the affected insurance carriers, or to the appropriate regulatory authority, for action they deem appropriate.

INTAKE SCREENING UNIT

The Mercer County Prosecutor's Intake Screening Unit is comprised of seven assistant prosecutors from various primary assignments and three support personnel. The assistant prosecutors are responsible for the screening of all complaints. The support staff is responsible for preparation of the manual files, entering the data into the Promis/Gavel and InfoShare databases, and scanning all documents into electronic folders for computer access.

The purpose of the intake and screening components of the office is to ensure that those cases with indictable charges are appropriate for prosecution at the Superior Court level. In order to accomplish this, the unit screens or diverts cases that can be more quickly and appropriately resolved at the municipal court level. The nature of the offense, surrounding circumstances, quality of the evidence and character of the defendant are considered in making the screening decision. The assistant prosecutors performing this important screening function can administratively dismiss the charges, downgrade the charges to non-indictable offenses or downgrade the charges and refer the case to the Remand Program. This program, which was established in late 1998, involves the retention of prosecutorial jurisdiction by this office of downgraded matters. By performing this type of early case screening, cases can be appropriately diverted before they are physically referred to the prosecutor's office, thereby avoiding the waste of time, energy and precious resources. Cases that are not diverted in this manner are further screened as being either suitable for the PIC program, appropriate for assignment to one of the specialized prosecution units within the office or ready for grand jury preparation.

This office electronically reviews all indictable cases through the InfoShare system. The program has been a tremendous success. Typically, more than 90 percent of all indictable cases are electronically reviewed within two business days. The benefit of the program has been a conservation of prosecutorial resources and a significant reduction in the time it takes to review a case. From a municipal court perspective, the pilot program has also conserved court resources and improved case disposition time frames.

The Remand Program continues to be a valuable case screening option. When a decision is made to downgrade an indictable charge, a determination is made whether this office will retain prosecutorial jurisdiction

in municipal court or whether the matter will be referred to municipal prosecutors. Cases that are selected for this program are those that may not lend themselves to prosecution in the Superior Court, but are of significant importance so that the full resources of the county prosecutor's office are brought to bear on the municipal court prosecution.

PIC (PRE-INDICTMENT CONFERENCE)

PIC cases are generally those in which the defendant has a minor record or no record and has committed a third- or fourth-degree crime. The goal is early disposition, either through a diversion into Pretrial Intervention (PTI) or a negotiated sentence after a guilty plea to an accusation. Also, in accordance with the *Brimage* guidelines of the New Jersey attorney general, all school zone drug cases are calendared for PIC when it is appropriate to extend a pre-indictment plea offer. The early resolution of cases through PIC is essential to controlling both pre-indictment and post-indictment backlog of cases.

PIC court is normally held every Wednesday and Thursday. Prior to the actual court appearance, a pre-indictment plea offer is communicated to the PIC coordinator of the Criminal Case Manager's Office, who in turn relays the offer to the public defender or private counsel representing the defendant. Those defendants who indicate an intent to accept the plea offer are scheduled to appear in the PIC court the same week to enter their pleas. The cases of those defendants who reject the plea offers or who do not appear at a scheduled PIC hearing are immediately referred to the Grand Jury Unit for preparation.

ACCOMPLISHMENTS

The Intake Screening Unit reviewed a total of 5,134 cases in 2023. Of those matters, 2,425 defendants were administratively downgraded to disorderly persons offenses and referred to municipal court or the Remand Program for prosecution. Another 300 defendants had their cases administratively dismissed, while 330 defendants were referred to Family Court. There were seven defendants whose charges were referred to a different venue. Finally, there were 422 accusations filed by this office and the cases of 1,748 defendants with indictable charges were approved for presentation to the grand jury, with 1,731 being indicted.

INTERNET CRIMES AGAINST CHILDREN (ICAC) UNIT

The Mercer County Internet Crimes Against Children Unit (ICAC) is under the umbrella of the New Jersey State Police Internet Crimes Against Children Task Force. The unit is responsible for all cases involving online sexual exploitation of children that are referred to the Mercer County Prosecutor's Office for investigation and prosecution. The unit is both reactive and proactive in nature. In the reactive sense, Detectives receive tips from the National Center For Missing and Exploited Children (NCMEC) as well as municipal police departments, and they conduct follow up investigations on the tips to determine (1) whether the materials uploaded and/or exchanged on various internet service provider sites are child sexual abuse material and (2) who is involved in committing the crime. In the proactive sense, detectives will assume undercover identities in order to identify individuals involved in online child exploitation by way of the attempt or actual communication with children online for sexual purposes and/or the possession, distribution and manufacturing of child sexual abuse material.

The ICAC Unit's mission is to (1) effectively investigate and prosecute individuals preying on our most innocent members of society, our children, and (2) educate the community about online safety and the prevention and prosecution of these cases. The unit does not discriminate against any victim because of race, creed, color, national origin, sex, marital status, religion, sexual orientation, ancestry, or mental or physical handicap.

The ICAC unit became a full-time unit in September of 2020. Prior to September 2020, ICAC cases were prosecuted by members of the Special Victims Unit (SVU). Although ICAC is now a separate unit, SVU and ICAC often come together to pursue their cases as oftentimes individuals charged with SVU offenses have also committed ICAC offenses and vice versa.

During 2023, the unit consisted of one full-time assistant prosecutor, the chief of the unit, and two part-time assistant prosecutors, as well as three full-time detectives and one task force officer from the U.S. Department of Homeland Security. The investigative function of the unit was overseen by two sergeants, an officer-in-charge, a lieutenant and a captain.

In 2023, more than 200 cases were referred to the Mercer County ICAC Unit, with 151 of those cases pursued. Detectives determined that the remaining cases could not be pursued due to images being age

questionable and/or the inability to identify suspects. While ICAC is not considered to be an on-call unit, the detectives and one full-time assistant prosecutor are available and operate on a 24-hour-a-day basis. There are occasions when the unit receives emergent ICAC referrals after regular business hours; in those instances, the full-time members of the unit respond for investigation.

ICAC investigations include open source and law enforcement lookups, search warrant and communications data warrant applications, as well as evidence collection, digital/electronic evidence analysis, and interviews of victims, witnesses and suspects.

The ICAC Unit employs a vertical prosecution method. Once an investigation gives way to sufficient evidence to charge, an assistant prosecutor in the unit reviews the evidence and makes a charging decision. If charged, an assistant prosecutor will pursue prosecution of the file, including reviewing the file for central judicial processing, arguing for detention or release conditions and indicting the file, as well as ultimately trying the file if necessary. If a victim is identified in the process of an investigation or during a case's prosecution, the detectives and assistant prosecutors utilize victim witness advocates to assist with ensuring that any/all needs of the victim, whether emotional, physical or mental, are met throughout the criminal justice process. In instances where a victim is identified, they are consulted throughout the prosecution process.

In 2023, no ICAC cases went to trial.

MEGAN'S LAW UNIT

The Mercer County Prosecutor's Megan's Law Unit is responsible for all aspects of the effective implementation of Megan's Law in Mercer County. The unit is comprised of a chief assistant prosecutor, two detectives and an administrative assistant who serve on a primary assignment basis. An additional assistant prosecutor is assigned as a secondary assignment.

In the wake of the tragic murder of 7-year-old Megan Kanka of Hamilton Township by a convicted sex offender, the governor and Legislature responded with the passage of the Registration and Community Notification Laws, *N.J.S.A. 2C: 7-1 et. seq.*, more commonly known as Megan's Law. Megan's Law creates a sex offender registry and establishes a community notification procedure that requires county prosecutors to rank offenders according to their risk of re-offense. The purpose of this legislation is to provide pertinent information to law enforcement and, in appropriate circumstances, to neighbors, parents and children, as well as community organizations that care for or supervise women or children. It is hoped that, armed with knowledge of the description and whereabouts of sex offenders, community members will be in the best possible position to protect their children and themselves. To facilitate this process, various state agencies have been charged with the responsibility of informing county prosecutors about the imminent release of such offenders. In turn, the prosecutors have been charged with the responsibility of determining the risk of re-offense, placing the offender in a "tier" based upon that determination, overseeing the dissemination of the appropriate notification required in each case, and tracking all sex offenders living within their respective counties.

Those required to register under Megan's Law include persons convicted, adjudicated delinquent or acquitted by reason of insanity of certain enumerated crimes who are released from custody after the October 31, 1994 effective date of this statute; offenders who are on parole or probation on or after the effective date of the statute; and those offenders who have been found to be repetitive and compulsive by the court regardless of the date of conviction or adjudication.

The Registrant Risk Assessment Scale (RRAS) is a 13-factor scale employed by prosecutor's offices statewide to objectively and uniformly determine an offender's risk of re-offense. The 13 factors are assigned to

four categories: seriousness of the offense, offense history, characteristics of the offender and community support. Each category is weighted in accordance with its predictive value. The prosecutor reviews the registrant's criminal file and other relevant information and applies the facts of the underlying case to the categories in the RRAS.

The registrant's tier classification determines the scope of notification. When it is determined that a registrant falls within Tier I, a tier notification flyer is given only to the local law enforcement agencies that are likely to encounter the offender. When it is determined that a registrant falls within Tier II, a tier notification flyer is provided to the local law enforcement agencies as well as to schools and licensed day care centers and summer camps likely to encounter the offender. Notification will also be given to registered community organizations that have direct supervision over children and/or women. Tier II registrants also appear on the New Jersey State Police's Internet Registry, with exceptions. When it is determined that a registrant falls within Tier III, the prosecutor will also distribute tier notification flyers to members of the public likely to encounter the offender, as well as to law enforcement agencies, schools, licensed day cares and summer camps, and registered community organizations. All Tier III registrants appear on the internet.

Prior to a Tier II or Tier III classification, the prosecutor personally serves the registrant with written notice, informing them that they have the right to object. Registrants then have 14 days in which to object. If a registrant objects to his or her tier classification, and/or scope or manner of notification, the court schedules a Megan's Law hearing. The Megan's Law hearing is a closed proceeding that provides the registrant an opportunity to challenge the state's numerical scale score and intended scope of notification. The state often must utilize expert testimony to prove a registrant's risk of re-offense, as the state's burden of proof is by clear and convincing evidence in this quasi-criminal proceeding. If the state and the offender cannot agree, the court makes the final decision and signs an order. Notification cannot be effectuated until two days after the order is signed. The entire process is to be completed within 45 days of the date of service. By mandate of the Office of the Attorney General, registrants are re-tiered (and personally served, thus beginning the objection and hearing process again) every time they change residences, commit another crime, or for any other reason that causes the

prosecutor concern.

The scope of notification in Mercer County is contingent upon whether the municipality is urban, suburban or rural as defined by the New Jersey State Police Uniform Crime Report. This report defines the only urban municipality in Mercer County as Trenton. The suburban municipalities in Mercer County are: East Windsor Township, Ewing Township, Hamilton Township, Lawrence Township, Pennington Borough, Princeton and West Windsor Township. The rural municipalities in Mercer County are defined as: Hightstown Borough, Hopewell Borough, Hopewell Township and Robbinsville Township.

In the case of a Tier III notification in an urban area, all residences, businesses, schools, licensed day cares and religious institutions located within a quarter mile of the registrant's home and workplace are notified. Additionally, schools (administrative personnel as well as students), licensed day care centers and community organizations within a one-mile radius of the registrant's home or workplace also receive notification flyers.

In the case of a Tier III notification in a suburban area, all residences, businesses, schools, licensed day cares and religious institutions located within a one-mile radius of the registrant's residence or workplace receive notice. Additionally, schools (administrative personnel as well as students), licensed day care centers and community organizations within a two-mile radius of the offender's home or workplace also receive notification flyers.

In the case of a Tier III notification in a rural area, all residences, businesses, schools, licensed day cares, religious institutions and private residences within a two-mile radius of the registrant's residence or workplace receive notice. Additionally, schools (administrative personnel as well as students), licensed day care centers and community organizations within a three-mile radius of the registrant's home or workplace also receive notification flyers.

The law further mandates that residents living within the scope of notification must be notified by personal service with notices containing the offender's name and address, recent photograph, physical description, underlying sex offense, vehicle description and license plate number. The Mercer County Prosecutor's Office Notification Operation Plan divides notification areas into quadrants in which teams of members of law

enforcement personally serve flyers. This plan is carried out by a task force of municipal police officers from all of the municipalities in Mercer County, prosecutor's detectives and sheriff's officers. This task force was formed by the prosecutor so that the onerous task of Tier III notification does not fall entirely on one police department or the prosecutor's office. If the residents are home, the officers explain to them that they are receiving information regarding a convicted sex offender pursuant to Megan's Law and that they are permitted to share that information only within their immediate household. The residents are also cautioned that the information is not to be released to the press. The resident must sign a receipt acknowledging receipt of the flyer and the rules against improper dissemination that is returned to the prosecutor's office and stored by the Megan's Law Unit. If residents have additional questions, the officers instruct them to contact the prosecutor's Megan's Law Unit.

If a resident, or someone over the age of 18, is not home when the officers attempt to effectuate service, the officers must leave a notice informing the resident that they must contact the prosecutor's office or report to the courthouse at one of the listed dates and times with positive identification to receive important information. The prosecutor's office arranges to have the courthouse available one or two evenings to accommodate the residents. The Megan's Law Unit staff, along with other prosecutor's detectives, then serves the residents with the notification flyers.

On July 25, 2001, the New Jersey Internet Sex Offender Registry was signed into law by the Legislature. The law mandates the internet posting of all Tier III (high risk) offenders and Tier II (moderate risk) offenders subject to certain exceptions. Tier I (low risk) sex offenders do not appear on the website. The New Jersey State Police maintains a website with the name, home address, county, photograph and description of offenses of each Tier II (with exceptions) and Tier III registrants.

In September 2001, the Megan's Law Unit began to review and re-serve all of the registered sex offenders in Mercer County where traditional Megan's Law notification had already been effectuated. All registrants are entitled to a hearing prior to having their photographs and personal information posted on the internet.

The internet law provides some exceptions for posting Tier II offenders. The law specifies that under certain circumstances, any juvenile offender, statutory rapist or incest offender (someone who committed the

offense within their own household) is exempt from internet posting because of the nature of the crimes and the offenders. It has been determined by the Legislature that these classes of offenders do not pose a sufficient risk to the community to overcome their presumption of privacy and therefore should not require any internet posting.

As of December 2023, approximately 1,650 sex offenders have registered in Mercer County as first-time registrants since the passage of Megan's Law. This number includes 68 new registrants living in the county. An estimated 203 individuals currently residing in Mercer County are Tier I sex offenders; approximately 335 are Tier II sex offenders; and none are Tier III sex offenders. Thirty-four sex offenders are pending tier hearings.

State-of-the-art equipment is crucial to the success of the Megan's Law Unit. Computer equipment, including a color scanner, color printer, color copier, mapping software and database software, and a Global Positioning System, was purchased to create the color flyers necessary to provide the required notifications. The equipment is also used to accurately determine and plot the appropriate scope of notification surrounding a registrant's home and workplace, to track the whereabouts of each registrant, and to maintain a ready source of information regarding many aspects of each registrant.

Training and community outreach activities are an integral part of the unit's responsibilities. The chief assistant prosecutor routinely provides training for all public, private and parochial schools, as well as licensed day care centers, within each of the 12 municipalities. The training provides superintendents, principals, teachers and caregivers with instructions on how to properly effectuate Tier II and Tier III notifications and provides materials to ensure that notifications comply with the mandates of the statute.

The chief assistant prosecutor also provides semi-annual training to the Megan's Law liaison officers from each municipality, parole officers and probation officers regarding any changes in the law and apprising them of their new and changing responsibilities. To date, the unit has conducted more than 200 training sessions.

Based on the onerous requirements of effectuating a Tier III community notification, the prosecutor, in conjunction with the Mercer County Chiefs of Police Association, created the Megan's Law Task Force. The task force is comprised of the Megan's Law liaison officers from each of the 12 municipalities. In 2023, there were no Tier III notifications.

Finally, the unit has the responsibility of prosecuting sex offenders who fail to comply with Megan's Law registration requirements. During 2023, approximately four registrants were charged with third-degree failure to register as a convicted sex offender pursuant to *N.J.S.A. 2C:7-2*. The Megan's Law Unit also works closely with the probation and parole officers who supervise Megan's Law registrants who have been sentenced to community or parole supervision for life, pursuant to *N.J.S.A. 2C:43-6.4*. In 2023, approximately 15 registrants were charged with a violation of a special sentence of community supervision for life, a third-degree offense. The unit is also responsible for prosecuting charges under legislation comprised of failure to comply with monitoring requirements pursuant to *N.J.S.A. 30:4-123.85* and interference with a monitoring device pursuant to *N.J.S.A. 30:4-123.86*, both third-degree charges. The unit resolved 26 of these cases by way of plea.

SPECIAL INVESTIGATIONS UNIT

The primary goal of the Special Investigations Unit (SIU) is to investigate, arrest and prosecute persons who are involved in the sale of controlled dangerous substances. Detectives assigned to the SIU engage in a host of investigative activities ranging from traditional undercover police work such as buy/bust operations, reversal, and courier interdictions to highly sophisticated wiretap investigations. The scope of these investigations includes everything from simple street level dealing to complex distribution conspiracies, and may focus on specific individuals, residences or areas within the county that have been identified through the collection of intelligence information.

Often, when suspected drug activity spans more than one community or crosses county lines, SIU detectives participate in a task force comprised of all law enforcement agencies within the affected area. Because of the large number of cases generated by SIU investigations, unit detectives are often called to testify in court. The designated detectives, by virtue of their extensive training and experience, have been qualified by the court to testify as experts in the field of narcotics and narcotics distribution activities.

The assistant prosecutors in the unit are responsible for prosecuting the cases resulting from the unit's investigations. Equally as important, to ensure the quality of these investigations, they also provide legal guidance, both within the unit and to outside law enforcement agencies. Moreover, they assist in the preparation and review of all search warrants, applications for consensual interceptions, communication data warrants and electronic surveillance applications.

Finally, in addition to investigating and prosecuting cases, the unit plays an important role in combating illegal drug activity by providing training, technical assistance and equipment to police departments throughout Mercer County. Unit members also assist local schools with delivering the important anti-drug message to our youth. Attorneys from the unit instruct Mercer County law enforcement personnel in search and seizure law.

ORGANIZATION

The Special Investigations Unit is presently staffed by two attorneys, one of whom is designated as chief of the unit, one lieutenant, two sergeants, 12 detectives and one administrative assistant. In September 2013, the Mercer County Narcotics Task Force (MCNTF) was formed. The Mercer County Narcotics Task Force is a multi-jurisdictional task force under the leadership of the Special Investigations Unit, aimed at addressing illegal drug activity in Mercer County. Task force members supplement the unit with detectives provided by the Trenton Police Department and the U.S. Drug Enforcement Administration. The unit also works cooperatively with Homeland Security Investigations, the Federal Bureau of Investigation, the United States Attorney's Office, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the United States Postal Service, the New Jersey State Police, and other police departments throughout the state and in Pennsylvania.

ACCOMPLISHMENTS OF THE SPECIAL INVESTIGATIONS UNIT IN 2023

During 2023, the Special Investigations Unit executed 124 search warrants and/or arrest/ consent searches, arrested 69 individuals, and seized \$684,673 in cash and approximately \$2,071,160 worth of controlled dangerous substances. The unit also confiscated 14 firearms and 22 vehicles. Additionally, the Special Investigations Unit also participated with the state Office of the Attorney General's NJ CARES program to help individuals addicted to controlled dangerous substances break the cycle of addiction by offering alternatives to criminal prosecution.

SIGNIFICANT CASES

STATE V. LEONARD MELVIN

In January 2023, the MCNTF received information from an informant that an individual was trafficking large amounts of heroin from Newark to Trenton. As a result of that information, detectives conducted additional investigation and identified the individual as Leonard Melvin. During their investigation, detectives also learned that Melvin had an active NCIC arrest warrant from the Essex County Sheriff's Office. On January 26, 2023, the MCNTF received information from the informant that Melvin would be traveling to the Amazon facility in Robbinsville, New Jersey, with a large quantity of heroin.

Members of the MCNTF located Melvin at the Amazon facility on New Canton Way. He was seated in the driver's seat of a black Nissan Altima. Detectives took Melvin into custody and subsequently applied for a search warrant for Melvin's vehicle, where they recovered approximately 150 bricks of suspected heroin. The suspected heroin was later analyzed by the New Jersey State Police Laboratory and found to be a mixture of heroin, fentanyl, fluorofentanyl and xylazine.

On April 18, 2023, a Mercer County grand jury returned an indictment charging Melvin with three counts of third-degree possession of a controlled dangerous substance, two counts of second-degree possession of a controlled dangerous substance with the intent to distribute and one count of first-degree possession controlled dangerous substance with the intent to distribute. Leonard is detained pending trial.

STATE V. ONASIS SANTOS-ESTEVEZ

During the months of September and October 2023, MCNTF detectives received information from an informant that an individual was transporting heroin to Trenton from Philadelphia, Pennsylvania. Through further investigation detectives were able to identify the individual as Onasis Santos-Estevez. During their investigation, detectives observed Santos-Estevez operating a red Mitsubishi.

On October 16, 2023, MCNTF received information that Santos-Estevez would be in Ewing Township in the area of Country Lane to facilitate a narcotics transaction. Detectives established surveillance of that area and observed Santos-Estevez arrive in a red Mitsubishi. Detectives intercepted the vehicle and found that the driver was Juan Ramon Estevez and the rear seat passenger was Onasis Santos-Estevez. During the stop, canine Indy was used to conduct an exterior sniff of the vehicle. At that time, Indy indicated a positive response for the presence of narcotics in the vehicle and detectives then applied for a search warrant.

Upon searching the vehicle, detectives located approximately 200 bricks of suspected heroin under the passenger seat. While at the Mercer County Prosecutor's Office, Santos-Estevez provided a recorded statement to detectives claiming ownership of the seized narcotics. The suspected heroin was later analyzed by the New Jersey State Police Laboratory and found to be a mixture of heroin, fentanyl, 4-ANPP and xylazine.

On January 3, 2024, a Mercer County grand jury returned an indictment charging Santos-Estevez with three counts of third-degree possession of a controlled dangerous substance, two counts of second-degree possession of a controlled dangerous substance with the intent to distribute and one count of first-degree possession of a controlled dangerous substance with the intent to distribute. On July 2, 2024, Santos-Estevez pleaded guilty to first-degree possession of a controlled dangerous substance with the intent to distribute and is currently awaiting sentencing.

STATE V. KYLE ECKEL

From July through October 2023, members of the MCNTF investigated the distribution of LSD by Kyle Eckel. As a result of this investigation, search warrants were authorized for Eckel's person, a premises on Wert Avenue in Hamilton and a black Honda Odyssey.

On October 23, 2023, detectives executed the search warrant for the premises on Wert Avenue. During the entry into the residence, detectives observed an unknown individual throw out an object from the rear bathroom window of the apartment. Upon inspecting the object, officers observed it to be two bags of suspected cocaine. During the execution, detectives located Eckel in the rear bathroom area of the residence. During the search of the apartment, detectives located approximately 59 one-pound bags, each containing suspected marijuana, a heat-sealed bag containing suspected psilocybin mushrooms, 43 tabs of suspected LSD, a black assault rifle with no serial number, two large capacity ammunition magazines, a loaded .40 caliber handgun, \$46,359 in assorted US currency, a money counter, a digital scale, a heat sealer, and assorted packaging and labeling materials. The seized narcotics were analyzed by the New Jersey State Police Laboratory and found to be a second-degree amount of cocaine and a first-degree amount of LSD.

Detectives charged Eckel on a complaint warrant with numerous narcotics offenses, two counts of second-degree possession of a firearm while committing a CDS offense, one count of second-degree possession of an assault firearm, one count of third-degree possession of a ghost gun and fourth-degree possession of an extended magazine. Subsequently, detectives provided agents from the New Jersey Division of Taxation with information related to their financial investigation into Eckel. As a result, the Division of Taxation has charged Eckel with two counts of third-degree failure to pay income tax and one count of filing a fraudulent income tax report. These charges are pending grand jury presentation.

SPECIAL VICTIMS UNIT

The Special Victims Unit (SVU) is responsible for all cases involving the physical abuse of children and the sexual assault of both children and adults referred to the Mercer County Prosecutor's Office for investigation and prosecution. Detectives in this unit conduct any necessary follow-up investigation on cases referred by local police departments or social agencies, as well as initiate their own investigations. Assistant prosecutors assigned to the unit screen, indict and prosecute all referred and original investigations.

The SVU's mission is three-fold: (1) to promote the effective investigation and successful prosecution of child physical abuse, and child and adult sexual assault cases; (2) to provide victims and their families with guidance and support throughout the investigation and prosecution of their cases; and (3) to educate the community about the prevention and prosecution of child abuse and sexual assault crimes. The unit does not discriminate against any victim because of race, creed, color, national origin, sex, marital status, religion, sexual orientation, ancestry, or mental or physical handicap.

During 2023, the unit consisted of three assistant prosecutors as a primary assignment, one of whom is chief of the unit, two additional assistant prosecutors full-time, four additional assistant prosecutors that are part time and assist with the on-call rotation, and six full-time detectives. The investigative function of the unit was overseen by two sergeants, one officer-in-charge, a lieutenant and a captain.

The SVU is located in the Child Advocacy Center, which is a safe, comfortable place, apart from the courthouse and the rest of the prosecutor's office, where children who have been sexually or physically abused can be interviewed in a child-friendly atmosphere. A safe, comfortable area for adult sexual assault victims is provided in the center as well. Interviews are conducted by law enforcement officers specially trained to interview children and adult victims of sexual assault. All interviews of sexual and physical abuse victims under the age of 12 are videotaped, eliminating the need for repeated interviews by other agencies involved in the case. Such investigations are joint efforts among the prosecutor's office, the municipal police departments and the state Division of Child Protection and Permanency (DCP&P) and are conducted in a manner that is also sensitive to the non-investigative needs of these cases. Often, the child and the non-offending parent or guardians are referred

to crisis intervention, medical services, mental health services and victim advocacy.

The Child Advocacy Center also houses the Multi-Disciplinary Team (MDT) coordinator. The Mercer County MDT was established as an investigatory and case management team to process criminal child sexual abuse and child physical abuse cases. The goal of the MDT is to improve the rate of prosecution, limit the number of victim interviews and provide necessary services to victims of child sexual assault and abuse. The primary function of the MDT is to provide case supervision from initiation of a criminal or civil investigation through evaluation and treatment of the child and family, and final disposition of the case. Team members are drawn from professionals in the fields of law enforcement, child protective services, mental health, victim services and medicine. The MDT coordinator ensures that appropriate team members are assembled for each case scheduled for review.

Investigations are conducted jointly between law enforcement and child protective services as set forth in a joint investigative protocol entered into by the prosecutor and DCP&P, and issued by the prosecutor. These investigations are later examined by the MDT through initial and periodic reviews to identify and resolve issues concerning not only investigation and prosecution case needs, but also child protection requirements, including treatment and support for the victims and their families.

In 2023, the MDT conducted more than 290 case reviews. Moreover, the MDT coordinator and members of the MDT continued to provide formal training for members of law enforcement, child protective services, school personnel and other social agencies about the MDT process and uses. Since the SVU is involved in a highly sensitive and specialized area that requires its assigned personnel to be well-trained and motivated, members must continually update themselves on changes in case law, new investigative techniques and procedures, and the latest developments in the psychological aspects of dealing with victims.

In order to ensure that child abuse and sexual assault cases are handled properly, the SVU operates on a 24-hour-a-day basis, with an assistant prosecutor and detective on call at all times. Whenever a sexual assault is reported to one of the municipal police departments or to the state police in Mercer County, the on-call detective is notified. The on-call detective assists the municipal police in the initial investigation of all first- and second-

degree crimes and may assist on third- and fourth-degree crimes. Follow-up investigations, which can include taking statements from witnesses, compiling physical and photographic line-ups, and the collection of additional physical evidence of the crime, are handled jointly by the local agency and the unit detective. An assistant prosecutor is available 24 hours a day for legal advice.

On July 15, 2002, the Sexual Assault Nurse Examiner/Sexual Assault Response Team (SANE/SART) Program was implemented in Mercer County. The Sexual Assault Response Team is made up of three professionals who work together at the victim's request to assist the victim through the aftermath of a sexual assault. The victim may choose to go to any of the four SART hospitals in Mercer County: Capital Health – East Trenton, Capital Health Regional Medical Center (Trenton), Capital Health Medical Center – Hopewell or Robert Wood Johnson University Hospital at Hamilton. The members of the SART include a rape care advocate from Womanspace a sexual assault nurse examiner and a law enforcement officer. SART members provide emotional support, medical treatment, evidence collection and investigation of the incident. SART services are available 24 hours a day, 365 days a year. In 2023, there were 139 activations with 129 of those activations requiring a response.

The SVU employs a vertical prosecution method. Cases are assigned to a designated assistant prosecutor during the initial investigation. The assistant prosecutor attempts to meet with the victim and their guardian if the victim is a minor, prior to grand jury presentation, personally handles the case presentation to the grand jury and remains assigned throughout all stages of prosecution. The assistant prosecutor consults with the victim and their guardian if the victim is a minor, prior to any plea offer or final disposition in the case, as required by statute.

In order to ensure that a victim's emotional needs are met throughout the criminal justice process, the SVU cooperates with Womanspace and PEI Kids, which offer both counseling and support to sexual assault victims and their families. Additional counseling referrals are arranged through the victim witness advocate assigned to the unit.

In 2023, the unit's investigative caseload totaled 745 cases, including 258 investigations carried over from 2022. Of this number, 487 investigations were completed in 2023. Of those investigations resulting in charges,

final dispositions were achieved in approximately 131 cases, including 48 guilty pleas, 47 administrative dismissals/downgrades, 92 indictments and 34 defendants admitted into the Pretrial Intervention Program. One case was tried before a jury and concluded with a guilty verdict.

SIGNIFICANT CASES

STATE V. T.S.

In June 2022, Trenton police received a report that a 10-year-old girl had been sexually assaulted by 44-year-old T.S., a neighbor. During a forensic interview at the Mercer County Child Advocacy Center, the victim disclosed that she had surreptitiously recorded the abuse on her mother's cell phone. Detectives recovered the video of the sexual abuse. They subsequently interviewed T.S. and elicited a confession. He was charged with multiple counts of first-degree aggravated sexual assault, sexual assault and endangering the welfare of a child. T.S. was tried by jury, convicted and sentenced to 30 years in state prison where he must serve 30 years before he is eligible for parole.

STATE V. C.D.

In October 2023, Hamilton police contacted MCPO SVU regarding a 10-year-old having been sexually assaulted by her mother's live-in boyfriend. The victim reported that the assault happened while she was asleep in bed with her nine-year-old sister. Both children were interviewed, and while the 10-year-old child disclosed sexual touching by the defendant, the nine-year-old child disclosed being victimized by the defendant by way of sexual penetration and the defendant performing oral sex upon the victim. The defendant was charged with multiple counts of first-degree aggravated sexual assault, second-degree sexual assault and second-degree endangering the welfare of children. He is pending trial.

TRIAL UNIT

The Mercer County Prosecutor's Trial Unit works with each of the criminal courts to ensure a smooth flowing schedule of cases for status conferences, dispositions and trials. To that end, each court is assigned an assistant prosecutor as a trial team leader who supervises and coordinates the trial schedule of the team, which is generally comprised of one or two additional assistant prosecutors and detectives. Although cases prosecuted by specialized units are also assigned to each of the criminal courts, it is the trial teams that do the bulk of the trial work before each judge.

The Trial Unit is comprised of the executive assistant prosecutor, three trial team leaders and approximately six additional assistant prosecutors whose primary assignment is the Trial Unit. Additionally, a lieutenant, a sergeant and approximately six detectives are assigned full time to the unit.

In 2023, the Mercer County Prosecutor's Office Trial Unit brought two cases to trial, both resulting in guilty verdicts. Overall, the trial teams resolved approximately 1,131 cases by trial, negotiated plea or other disposition. Many of these resolutions came only after extensive pre-trial preparation and investigation, and motion practice. On rare occasions, guilty pleas were entered on the eve of trial or during some stage of the trial itself.

SPECIAL ACTIVITIES

EXTRADITION & FUGITIVE UNIT

The mission of the Mercer County Prosecutor's Extradition and Fugitive Unit, working in conjunction with the Mercer County Sheriff's Office as well as other law enforcement agencies both nationwide and internationally, is to apprehend fugitives from justice. The unit addresses outstanding bench warrants, arrest warrants and warrants of indictment.

The unit is comprised of four people. One detective works in the unit as well as a member of the professional staff. In addition, two assistant prosecutors staff the unit.

When individuals within our jurisdiction are wanted in another state, the requesting state contacts the unit. In order to accomplish the return of these individuals to the states where they are awaiting prosecution, certain criteria must be met. While some individuals simply choose to waive extradition proceedings and voluntarily return to other states for prosecution, many individuals challenge extradition. In such cases, the unit must contact the requesting state and coordinate the issuance of governors' requisition and rendition warrants. Procuring these specialized warrants allows the county to transport individuals over state lines for the purposes of prosecution. Without the governor's approval on these cases, extradition cannot be accomplished.

In cases when individuals choose to waive extradition, a governor's warrant is not necessary, and the requesting agency simply transports the fugitive back with approval of the court. When a person who is being extradited still has matters pending in Mercer County, the pending matters are usually resolved prior to extradition. If it is necessary to extradite an individual prior to a case being resolved, the unit confirms that necessary detainers are filed in order to assure the return of the defendant.

In addition to dealing with extraditions to other states, the unit is also responsible for bringing fugitives located in other states back to Mercer County for prosecution. As is the case when fugitives are extradited to other states, governor's warrants or extradition waivers are required in order to guarantee that fugitives are properly returned. In order to obtain a governor's requisition warrant, the unit must complete paperwork

including affidavits, fingerprint analysis, certified indictments, or complaints as well as certified warrants. The unit works closely with the New Jersey governor's extradition secretary to procure these documents.

Often fugitives are serving sentences in another state. In that case, the Interstate Agreement on Detainers is used to facilitate extradition back to Mercer County. By virtue of the agreement between the party states, expeditious transfers are made possible. The Extradition and Fugitive Unit completes the necessary paperwork, which includes affidavits and certified documents, and then tracks the case to make sure that time limits imposed by the Interstate Agreement statute are met. A missed deadline results in the dismissal of the pending charges.

Besides dealing with the actual extradition of the fugitives, detectives assigned to the unit regularly search for fugitives from our jurisdiction both within the state and outside its borders. Those fugitives who are found within the county or state are arrested and returned to custody to face pending charges. Those fugitives who are discovered outside of New Jersey are arrested and extradition proceedings are initiated in Mercer County. The location and arrest of fugitives out of the area is accomplished with the help of other law enforcement agencies that lend support and manpower to our searches. Before beginning any search for a fugitive, the case is reviewed to determine whether prosecution will still be possible once the person is captured.

In reviewing files, it is also this unit's responsibility to make sure that any warrants issued and entered into NCIC are labeled with appropriate geographic parameters for extradition. Such decisions are made by an assistant prosecutor after reviewing the files and must be made prior to entry of warrants into NCIC. These levels are reviewed regularly in order to ensure that they remain appropriate.

Over the course of 2023, the unit was involved in several extraditions. The unit completed three Interstate Agreement on Detainers extraditions and three governor's warrant extraditions in order to return fugitives to this jurisdiction. Along with handling requests for disposition under the Interstate Agreement on Detainers, the unit also fielded 25 inquiries regarding the status of pending charges. These inquiries are made by federal and state correctional facilities as well as defendants themselves. Our office researches each case individually and answers all inquiries appropriately and efficiently. In addition, a number of out-of-state governor's warrants were received

requiring the extradition of individuals to other states. These individuals waived extradition and were returned to the states seeking them.

The unit is also involved in enforcing witness subpoenas under the Interstate Agreement to compel the attendance of out-of-state witnesses. Upon receipt of a request, the unit's assistant prosecutor must present a petition to the presiding judge of the Superior Court, Criminal Part, setting forth the facts of the out-of-state matter, the need for the witness, the date and time the witness is required for testimony, and the arrangements that have been made to transport the witness to and from the requesting state. The court then issues an order to show cause that provides the subpoenaed witness an opportunity to explain why the subpoena should not be enforced. Following the hearing on the show cause order, the court issues an order compelling the witness to present for testimony at the out-of-state matter. Failure to comply with the court's order results in arrest for contempt. The unit also assists in having out of state material witnesses subpoenaed for matters here.

In order to further its goals, the Fugitive Unit works in conjunction with the U.S. Marshals New York/New Jersey Regional Fugitive Task Force. Working as a task force allows all parties to locate fugitives more easily and safely return them to the jurisdictions requesting their presence. By joining resources, all members of the task force benefit as do the people of Mercer County and the surrounding jurisdictions.

Overall, 2023 was another successful year for the resolution of fugitive matters. The Fugitive Task Force/Trenton Division located approximately 250 Mercer County fugitives and assisted in 70 out-of-county fugitive arrests. In particular, the task force aids in the apprehension of homicide suspects nationwide. The apprehension of fugitives within the state as well as out of state involves the cooperation of several local, state, and national agencies and organizations. The Mercer County Prosecutor's Office has partnered with the Mercer County Sheriff's Office, the Federal Bureau of Investigation, the U.S. Marshals Service, the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives, the U.S. Secret Service, the Drug Enforcement Administration, U.S. Immigration and Customs Enforcement, the New Jersey State Police, and police departments from Trenton, Hamilton, Ewing, Lawrence, West Windsor, Princeton, Pennington Borough, Hightstown Borough, Robbinsville Township and Hopewell Township in performing its mission. Numerous other county prosecutor's offices also

routinely assist the unit, including Hunterdon, Middlesex, Monmouth, Ocean and Burlington, and the unit has worked closely with the Bucks County District Attorney's Office in Pennsylvania.

FEDERAL & STATE GRANTS

The Mercer County Prosecutor's Office believes in aggressively and diligently pursuing grant funding opportunities to enhance the delivery of services to the public at no expense to the county. The following is a list of grants currently managed by the office.

INSURANCE FRAUD GRANT

The goals of this grant are to aggressively detect and investigate insurance fraud occurring within Mercer County, and to apprehend and prosecute those responsible for engaging in those activities. The unit specializes in the prosecution of insurance fraud and acts as a liaison between the insurance industry and local law enforcement. The award for this grant is \$250,000.

JUSTICE ASSISTANCE GRANT

The funds will be shared by the Mercer County Prosecutor's Office, the Trenton Police Department and the Hamilton Police Division to aggressively investigate crimes through increased patrols, technology improvements, enhanced equipment, training and intelligence-driven policing.

The Mercer County Prosecutor's Office administers the funds on behalf of the Trenton Police Department and the Hamilton Police Division. The total amount of the award is \$174,092.

The Mercer County Prosecutor's Office uses its share of \$17,409 to hire interns to continually update our gang database, which is available to all police departments in Mercer County, to provide police officers with up-to-the minute information about gang activity and affiliations.

The Trenton Police Department utilizes its share of \$133,498 for the purchase of police equipment and supplies to help combat criminal activity in the city of Trenton.

The Hamilton Police Division uses its share of \$23,185 to hire officers for overtime to saturate areas where spikes in crime and quality-of-life issues are observed.

SEXUAL ASSAULT RESPONSE TEAM / FORENSIC NURSE EXAMINER (SART/FNE)

With the establishment of a countywide Sexual Assault Response Team, the collaborative and specialized response to sexual assaults is greatly enhanced, resulting in improved investigations and prosecutions. The program is also intended to provide more professional services to the victim and to reduce the amount of trauma and stress caused by an investigation. It is anticipated that this program will increase the reporting of sexual assaults, as well as improve the conviction rate of offenders. The award for this grant is \$217,523.

BULLETPROOF VEST PARTNERSHIP PROGRAM

The purpose of this grant is to save the lives of law enforcement officers by helping local government equip their officers with bulletproof vests. The total grant is \$4,595.

VICTIMS OF CRIME ACT (VOCA) GRANT

The project continues to improve the treatment of victims and witnesses, and to ensure their rights by providing assistance and services that will help them cope with the aftermath of victimization. The award for this grant is \$854,676.

VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT

This grant program funding is used to develop and implement more effective law enforcement and prosecution strategies to combat violence against women and enhance victim services. The award for this grant is \$61,428.

OPIOID PUBLIC HEALTH CRISIS RESPONSE: OPERATION HELPING HAND

The project aims to combat the opioid epidemic by using law enforcement as a gateway for individuals with substance use disorder issues to enter treatment and/or be connected with appropriate recovery services. The award for this grant is \$105,263.15.

CHILD ADVOCACY DEVELOPMENT

This grant funding is to provide critically needed resources such as treatment services, technology and capital improvement to our Child Advocacy Center. The award for this grant is \$184,260.

AUTOMATED LICENSE PLATE READER (ALPR) INITIATIVE

This grant funding is to acquire, expand or upgrade ALPR technology for implementation in communities throughout Mercer County that demonstrate an increase in violent crime and/or auto theft. The award for this grant is \$396,000.

GUNSHOT DETECTION TECHNOLOGY INITIATIVE

This grant funding is for the acquisition and/or enhancement of gunshot detection technology resources to prevent violent crimes throughout Mercer County. The award for this grant is \$567,400.

IDENTIFICATION UNIT

The Mercer County Prosecutor's Identification Unit provides photographic and identification services to the legal and investigative staff of the office, as well as all local police agencies within Mercer County.

Utilizing a central computerized criminal history terminal, the unit provides updated criminal history records on all defendants and, when necessary, current addresses and photographs. These items are forwarded to various units within the office. The unit is responsible for the monthly National Incident-Based Reporting (NIBRS). This is an incident-based reporting system used by law enforcement agencies in the United States for the collection of crime statistics.

Mugshots are taken during arrest and computerized through Picture Link, allowing all departments to access current arrestee photographs and charging information. When necessary, photography produced by any unit can be processed and returned for investigative/trial purposes. The unit utilizes a public housing and park mapping program to verify drug-free zones within the county. School zone maps are also digitally available. This county map program enables the units to create and print the maps directly when needed for court proceedings.

In addition, the Identification Unit assists in confirming the true identity of inmates in question that are in our jurisdiction. Members of this unit produce affidavits of identification for defendants using aliases. It also assists in the collection of DNA samples that are necessary for state and national DNA databases. The unit continues to work with the state to fingerprint defendants that have not been printed for charges being heard in Superior Court.

During the trial preparation phase of cases, the unit's staff is available for any additional photography requested by the assistant prosecutor and also prepares demonstrative trial aids and exhibits. In addition, several detectives have been trained in evidence collection and photography to assist the unit when necessary.

This unit works closely with the Combined DNA Index System, the New Jersey State Police Criminal Records Integrity Compliance Unit, and all of Mercer County's municipal police departments to maintain compliance. Due to the 2017 Criminal Justice Reform Act in New Jersey, the Identification Unit continues to

work closely with the courts to ensure Electronic Court Disposition Reporting compliance, the linking of DNA and fingerprints, and the overall accuracy of a defendant’s Public Safety Assessment.

In addition to these responsibilities, the unit also assists with expungements, background checks and the training of personnel. Often the unit researches the disposition of cases for gun applicants nationwide. Finally, the unit conducts criminal history checks and fingerprinting assisting individuals who have been victims of identity theft.

During 2023, the Identification Unit processed the following:

Law Enforcement Records Checks.....	225
10 x 12 Trial Photos	725
24 x 36 Trial Photos.....	8
Record Checks.....	9,748
Maps/Crime Scene Enlargements for Trial	25
Persons Fingerprinted.....	151
DNA Collected	36
Identity Theft Memos	6
Memos to Data Reduction Unit for Corrections	420
Expungements Removed for PictureLink	737

MUNICIPAL COURT UNIT

The Mercer County Prosecutor's Municipal Court Unit is made up of one assistant prosecutor who serves as a liaison between the Mercer County Prosecutor's Office and the attorneys who serve the 12 municipalities as municipal court prosecutors. The assistant prosecutor assigned to the unit oversees municipal court appeals handled by this office and provides training sessions and technical assistance to the municipal prosecutors. The assistant prosecutor also answers inquiries from the municipal prosecutors, municipal court administrators and the presiding judge of the Mercer County Municipal Court Vicinage.

The municipal court liaison meets on a regular basis with the state Division of Criminal Justice's Prosecutors Supervision and Coordination Bureau. The information provided at these sessions is then presented to the municipal court prosecutors. This information includes updates of relevant case law, particularly in the area of drunk driving, changes to existing laws, and the creation of new law that is applicable to the municipal courts. Updated training and materials continue to be provided to the municipal prosecutors regarding these new issues and defenses being presented by the defense bar.

The new Alcotest instrument that has replaced the previous version is being implemented. The Attorney General's Office is proceeding with the necessary steps for its implementation and the Municipal Court Unit continues to update our municipal prosecutors with materials regarding these issues. The unit continues to provide opportunities for assistant prosecutors to cover municipal court sessions and to gain valuable experience in this area. The Municipal Court Coverage Team continues to provide a ready group of assistant prosecutors to train and dispatch to the county's municipal courts when needed. The unit has assisted the municipal prosecutors in providing more timely access to one another to provide court coverage for their respective municipalities. The unit continues to address the issue of the proper handling of motor vehicle tickets that are part of indictable criminal charges.

The unit continues to provide opportunities for assistant prosecutors to cover municipal court sessions and to gain valuable experience in this area. The Municipal Court Coverage Team continues to provide a ready group of eight assistant prosecutors to train and dispatch to the county's municipal courts when needed. The unit has assisted the municipal prosecutors in providing more timely access to one another to provide court coverage for their respective municipalities. The unit continues to address the issue of the proper handling of motor vehicle tickets that are part of indictable criminal charges.

OFFICE OF INFORMATION TECHNOLOGY

The function of the Mercer County Prosecutor's Office of Information Technology is to manage, plan, implement and support new and ongoing computer projects. The office is responsible for managing and monitoring the security and assurance of all existing and proposed computer systems. It is also responsible for the day-to-day operations of office technology equipment and software, including the computer network of the prosecutor's office and attached state systems, consisting of servers, tablets, smartphones, scanners, smartboards, many attached peripherals, and more than 300 client computers and laptops. This hardware supports many software applications for use by the prosecutor's office, local police departments and other law enforcement agencies. This equipment is distributed throughout many locations and is also used for remote work. These locations include five buildings staffed by prosecutor and task force personnel, courtroom computers at the Mercer County Courthouse and several computers, scanners, automated license plate reader cameras, and additional equipment located throughout the municipalities. This unit assists with digital media needs by processing digital media discovery requests and body worn camera video. This unit is also responsible for server management and programming of door security access, alarm communications and video surveillance systems located at the main office and evidence office locations.

In addition to the daily operations of the Office of Information Technology, several projects were completed in 2023. New computers with built-in video camera monitors were configured and set up for the Office of Victim Witness Advocacy. The office also assisted Victim Witness with software enhancement programs for use with the existing case management software. New applications were installed, including a Victim Witness portal phone application with resource mapping and a domestic violence family application that assists with the transfer of cases to family court.

The office assisted with and completed a few other software enhancement programs for use with our existing case management software system. These enhancements included the planning, setup and implementation of a high-tech crimes software program and application improvements to our existing personnel management and forfeiture management software applications.

To prepare for the implementation of body worn cameras, additional cabling was installed at one of our office locations. Circuits were upgraded to increase bandwidth and several pieces of infrastructure equipment were programmed at two office locations. Body worn cameras, camera mounts, bay docks and other related peripherals were purchased, set up and configured for the investigative staff.

The team has been maintaining the upkeep of our computer systems and working to replace and upgrade any outdated devices. Our VPN and 2FA devices have been reviewed to remove any staff that have departed, which is reflected in the costs for these services. Most recently, the BEAST computer for our Economic Crimes Unit has been replaced to ensure that the hardware can handle the load. Additionally, the team has worked with our support vendors to monitor our network and replace failing battery units that keep our servers online.

Additional laptops were purchased and configured for support and SVU staff to use in the office and remotely. A few desktop computers, network printers and OCR document scanners were purchased and installed to replace broken equipment. A few general email accounts were created to streamline electronic information sent to our office. External hard drives were purchased to assist the legal and investigative staffs with portable review of digital evidence. New equipment was purchased to replace outdated Livescan equipment for fingerprint processing at one of our locations. Domain and file servers were upgraded at one of our locations to replace server equipment that had reached the end of life.

OFFICE OF VICTIM WITNESS ADVOCACY

The Mercer County Prosecutor's Office of Victim Witness Advocacy strives to ensure that services of the highest quality are provided to the greatest number of victims. Our mission is to abide by the Creed of the Mercer County Prosecutor's Office of Victim Witness Advocacy while continuing to identify areas where services for crime victims can be enhanced. The purpose of this office is to provide comprehensive services to meet the needs of crime victims, beginning at the point of victimization and continuing throughout their involvement in the criminal justice system and beyond.

The Victim Witness Advocacy staff consists of eight victim witness advocates overseen by a victim witness coordinator. These staff positions are funded by the Victims of Crime Act Grant. Two advocates are assigned to the Homicide Unit. One advocate is assigned to Central Judicial Processing. Two advocates are assigned to the Special Victims Unit, which is located in the Child Advocacy Center portion of the Mercer County Prosecutor's Office. Victims have direct access to services within the Child Advocacy Center. An advocate is assigned to the Domestic Violence Unit and is responsible for working with victims of all indictable cases. Another advocate assists victims with all other indictable cases, such as burglary, aggravated assault, terroristic threats, robbery and theft and Serious Collision Response Team cases. There is one advocate assigned to the Juvenile Unit located in the Family Courthouse. This advocate is responsible for assisting victims of crimes committed by juveniles, as well as adult, non-indictable domestic violence cases. The office has one support staff person that performs administrative tasks.

The Office of Victim Witness Advocacy is responsible for the delivery of a wide range of services pursuant to the Attorney General's Standards to Ensure the Rights of Crime Victims. It is the responsibility of the Office of Victim Witness Advocacy to keep all victims and witnesses advised of upcoming court dates and case status. This is primarily done through phone calls and letters that are generated daily through the InfoShare program and mailed to victims and witnesses.

An essential role of the Office of Victim Witness Advocacy is to ensure that victims' and witnesses' rights are being upheld within the criminal justice system. Every effort is made by the staff to ensure that the voices of

victims are heard that the criminal justice system continues to be victim-sensitive, and that the victim is not victimized a second time as they proceed through the criminal justice system. The staff acts as a liaison for the victims as they interact with assistant prosecutors, investigative staff and court personnel. Advocates provide counseling referrals, crisis intervention, needs assessment, court accompaniment, necessary restitution information, social service referrals, restitution requests and help with filing applications with the New Jersey Victims of Crime Compensation Office (VCCO). This support is designed to ease the burden associated with participation in the criminal system.

One of the most important and basic rights of victims during prosecution is the right to participate. Advocates ensure that victims are afforded this right by providing guidance and support, as well as encouraging them to exercise their rights by presenting victim impact statements at sentencing and at other critical stages of prosecutions. Victim witness advocates notify victims of inmate releases, parole eligibility and sentence expirations so that victims can take appropriate steps to object to or prepare for the inmate's release.

In addition to these direct victim services, the office continues to establish strong partnerships with allied professionals, other victim service providers, and leaders in the community. Advocates attended monthly meetings in the Mercer County community addressing various issues that impact victims. Making connections with other community agencies and professionals help make services more readily available to those we serve.

The Office of Victim Witness Advocacy participates in community events that both educate and support Mercer County residents. Victim Witness staff also attend conferences and trainings that enhance their knowledge in dealing with crime victims and the impact their victimization can have on their mental and physical health.

The Office of Victim Witness Advocacy participated in National Night Out events throughout Mercer County, providing information and support to the residents they serve. The office also conducted outreach to Mercer County social services and community agencies including counseling centers, food pantries, emergency housing/homelessness prevention programs and emergency financial assistance. Advocates were assigned the task of contacting specific organizations, requesting their most recent informational brochures and gather updated contact information for the agency or program.

The victim witness coordinator and a victim advocate instructed at the Mercer County Police Academy. They educated incoming law enforcement officers on victims' rights, the impact of victimization, and the services of the Mercer County Office of Victim Witness Advocacy.

PROFESSIONAL STANDARDS UNIT

Pursuant to the Attorney General's Guidelines for Internal Affairs Policy and Procedures, the Mercer County Prosecutor's Office is responsible for any investigation of alleged misconduct by a county or local law enforcement officer that could potentially constitute a criminal offense. By policy promulgated by the Mercer County Prosecutor, potential criminal misconduct by county corrections officers also must be reported to and investigated under the authority of this office. The Mercer County Prosecutor's Professional Standards Unit, consisting of the first assistant prosecutor, two deputy first assistant prosecutors, one assistant prosecutor, four superior officers and one detective, supervises all of these investigations, becoming actively involved when particular circumstances require.

Mercer County law enforcement and correction agencies are obligated to advise the Internal Affairs Unit as soon as information regarding potential criminality of an officer's actions is brought to their attention. At that point, unit personnel determine the nature and scope of the investigation to be conducted, provides legal and investigative advice, and determines whether the investigation should be conducted by agency personnel alone, by this office alone or jointly. At the conclusion of an investigation, the Mercer County Prosecutor's Office decides whether to prosecute, decline prosecution and/or refer the matter back to the agency for appropriate administrative or disciplinary action.

Although the Mercer County Prosecutor's Professional Standards Unit has been functioning for a number of years, no formal accounting for its work was done prior to 2005 when an in-house computer program was devised. During 2006, that in-house program was replaced by InfoShare, permitting a greater degree of control to be exercised over an escalating volume of investigations.

In 2023, there were 130 formal internal affairs investigations opened by the Mercer County Prosecutor's Office. This total does not include agency contacts when an immediate decision is made by this office to permit the matter to be handled administratively or contacts in which the agency merely seeks legal or investigative advice. Of those investigations, 99 were closed by the end of 2023.

The 2023 investigations included various allegations of official misconduct, including excessive force, racial profiling, domestic violence, theft, drug distribution, drug use, harassment, false arrest, improper searches, tampering with records, improper computer access and corruption.

PUBLIC INFORMATION OFFICE

The Public Information Office acts as the central point of contact for all media inquiries and information requests. It is staffed by one full-time agent who is available to the media 24 hours a day, seven days a week. This system gives the media one dedicated source from which they can obtain news and updates and relieves on-scene investigators and legal personnel from that responsibility. An assistant prosecutor is also assigned to the office as a secondary duty.

The office works closely with the legal and investigative staff in obtaining information and releasing it to the public within the guidelines of state Executive Order #69. It is responsible for answering daily media inquiries, writing and distributing press releases, and arranging press conferences for high-profile cases and significant issues determined by the prosecutor. The office has established contacts with national, regional and local media organizations, including television, radio and print, and provides information on current crimes, arrests, court activity and any other topic requested by the media source.

All information released by the Mercer County Prosecutor's Office is authorized by the prosecutor and disseminated through the Public Information Office. The office supports local police agencies when major news events occur in their municipalities and advises them on releasing information in accordance with the law. In addition, the office assists with requests for information made under the Open Public Records Act.

The office released approximately 44 written press releases in 2023. Several high-profile events in the county created a great need for information from the office this year, including multiple investigations by the Internet Crimes Against Children Unit, the Mercer County Narcotics Task Force and Homicide Task Force, the continued efforts of law enforcement to battle the national epidemic of opioid addiction, and a cold case investigation that conclusively identified a suspect in a 1984 sexual assault and homicide.

In addition to day-to-day media responsibilities, the Public Information Office assists with the annual report and other printed projects, participates in various community outreach activities, and develops strategic communications plans with the prosecutor and senior staff. It is also responsible for maintaining the office website and Twitter account. The staff also instructs media relations at the Mercer County Police Academy.

SERIOUS COLLISION RESPONSE TEAM

The Serious Collision Response Team (SCRT) was created in October 1999 as a result of a grant from the New Jersey Division of Highway Traffic Safety and is made up of one assistant prosecutor and four detectives. The assistant prosecutor leads the unit as a secondary assignment. One detective serves the unit as a primary assignment and three detectives serve the unit as secondary assignments. The clerical duties, including correspondence and discovery, are handled part time by a member of the support staff.

The SCRT is responsible for investigating, jointly and in conjunction with the local police department or state police, all fatal and serious injury collisions that occur within Mercer County. It is also responsible for investigating police motor vehicle pursuits that end in injuries to civilians. In addition, the SCRT, with the assistance of the Trial Unit, prosecutes all indictable criminal charges arising out of these investigations.

The SCRT conducts both formal and informal training in the field of collision investigation. The assistant prosecutor and SCRT detectives also provide legal and investigatory guidance to local and state police.

In addition, the SCRT provides technical support to other units, such as homicide, by measuring scenes and providing crime scene drawings.

The investigation of motor vehicle collisions relies upon both physical evidence and witnesses. Criminal charges may or may not be filed as a result of these investigations. The SCRT has the responsibility of determining if there is proof that constitutes a criminal act and whether a driver will be charged criminally. In instances where there is no proof of criminal conduct, the case is referred back to the municipality for disposition of any motor vehicle summons or non-indictable charges that may have been filed.

During 2023, the unit was responsible for a total workload of 161 original investigations, including 81 new investigations. Of these investigations, 99 were completed with 39 cases resulting in criminal charges

SIGNIFICANT CASE

STATE V. PETAR ARMBRUSTER III

On July 8, 2023, at approximately 5:05 p.m., a collision involving a motor vehicle and a pedestrian occurred. At 7:10 p.m., the Serious Collision Response Team responded to the scene located at 970 Spruce Street,

the parking lot of Halo Farm in Lawrence Township. Police were advised that a pedestrian sustained serious injuries and was transported to the hospital. The driver of the vehicle fled the scene following the collision.

Witnesses informed police that the victim and driver had recently had a disagreement and the driver, operating a gray Pontiac sedan, struck the victim. Witnesses informed the police that the vehicle accelerated prior to striking the pedestrian. Surveillance footage showed the collision and confirmed that the driver drove toward and swerved into the victim. The defendant was subsequently identified as Petar Armbruster. The victim suffered multiple fractures, including a skull fracture, and a brain bleed.

On March 7, 2024, the defendant pleaded guilty to third-degree endangering an injured victim and was subsequently sentenced to five years of incarceration with a two-and-a-half-year period of parole ineligibility.

TRAINING UNIT

The Mercer County Prosecutor's Office recognizes the importance of providing useful, quality training opportunities for the investigative, legal, support, professional and technical staffs. The office recognizes it has a responsibility and is in a position to extend training opportunities to other law enforcement agencies throughout the county.

The Training Unit manages, plans and implements training for all members of the office. The unit also maintains a database of the training records for the entire office staff.

During 2023, Mercer County Prosecutor's Office investigative staff completed the semi-annual firearms qualification and requalification. Members of the investigative staff attended the following seminars, conferences and workshops: GLOCK armorer, active shooter, firearms instructor, money laundering, animal welfare, Finding Words/Child First, human trafficking, Top Gun, digital forensics, narcotics, 2023 New Jersey Women in Law Enforcement Conference and the 25th Annual Sex Crimes Information Sharing Conference.

During 2023, members of the legal staff attended various courses, conferences and seminars, including the 2023 County Prosecutors Association of New Jersey Annual College, 2023 New Jersey Women in Law Enforcement Conference, 25th Annual Sex Crimes Information Sharing Conference, gun law and firearms in New Jersey, Open Public Records Act and records management.

Members of the support, professional and technical staffs attended various seminars and in-service meetings held throughout New Jersey. The courses attended include but are not limited to computer software subjects and professional office management training. Members of the support staff attended the Prosecutor's Office Management Association (POMA) Annual Conference, Civil Service Commission human resources training, the 2023 County Prosecutors Association of New Jersey Annual College, CODIS training and information technology courses.

The Mercer County Prosecutor's Office continues to supply instructors to the Mercer County Police Academy for the Basic Course for Police Officer training. Instruction topics include but are not limited to criminal law, juvenile law, domestic violence, homicide, narcotics, bias crimes, emergency vehicle operations, physical

training, defensive tactics, firearms and courtroom testimony. The Mercer County Prosecutor's Office also supplied role players to assist with the practical training exercises at the Mercer County Police Academy.

PROSECUTORIAL SCREENING OF DEFENDANTS

SCREENING OUTCOMES	STAGE OF THE CRIMINAL JUSTICE PROCESS WHEN DECISION OCCURS	
	PRE-COMPLAINT DECISIONS	POST-COMPLAINT DECISIONS
a. Defendants administratively dismissed		542
b. Defendants with charges downgraded to disorderly persons offenses		2467
c. Defendants accepted for pre-trial diversion		106
d. Defendants otherwise screened out		85
e. Defendants with change of venue		7
f. Accusations filed		422
g. Defendants with either indictable complaints authorized or charges approved for grand jury		1505
h. AOC Correction: Defendants who completed grand jury		1748
TOTAL SCREENING DECISIONS FOR YEAR (add a - h)		6882

DEFENDANT APPLICATIONS FOR DIVERSION PROGRAM, ACTION TAKEN AND OUTCOME

Pre-trial Intervention Diversion Program

	Number of DEFENDANT APPLICATIONS FOR PRE- TRIAL INTERVENTION	
	PRE-INDICTMENT	POST-INDICTMENT
1. Applications reviewed	103	158
2. Recommended for acceptance	103	158
3. Recommended for rejection	1	3
4. Accepted into program	106	164

**DEFENDANTS PENDING GRAND JURY PROCESS
(Pre-Indictment Defendant Cases)
BY AGE OF COMPLAINT**

AGES OF PRE-INDICTMENT DEFENDANT CASES FROM DATE OF COMPLAINT	NUMBER OF DEFENDANTS	
	ACTIVE	INACTIVE/FUGITIVE
1. 0 to 1 month	110	0
2. 1+ to 2 months	125	1
3. 2+ to 3 months	141	0
4. 3+ to 4 months	137	6
5. Over 4 months	897	88
6. TOTAL defendant cases pending grand jury	1,410	95

**DEFENDANTS COMPLETING THE
GRAND JURY PROCESS
AND ACTION TAKEN**

ACTION TAKEN	NUMBER OF DEFENDANTS
1. Defendants presented to the grand jury	1740
2. Defendants indicted	1731
3. Defendants no billed and remanded to municipal court	0
4. Defendants no billed/no action	17 – no billed
5. TOTAL defendants completing the grand jury process	1748

DEFENDANTS CHARGED BY ACCUSATION

	NUMBER OF DEFENDANTS
TOTAL Defendants charged through Accusation	422

**DEFENDANTS PENDING DISPOSITION OF CHARGES
BY AGE OF INDICTMENT OR ACCUSATION**

AGES OF POST-INDICTMENT DEFENDANT CASES FROM DATE OF INDICTMENT OF ACCUSATION	NUMBER OF DEFENDANTS	
	ACTIVE	INACTIVE/FUGITIVE
1. 0 to 3 months	199	34
2. 3+ to 6 months	188	62
3. 6+ to 9 months	138	77
4. 9+ to 12 months	90	75
5. 12+ to 24 months	132	76
6. 24+ months	144	763
7. TOTAL post-indictment/accusation defendant cases pending	891	1087

DEFENDANTS WITH INDICTMENTS/ACCUSATIONS DISPOSED BY OFFENSE CATEGORY AND MANNER OF DISPOSITION

MANNER OF DISPOSITION	OFFENSE CATEGORIES										
	Homicide	Kidnap- ping	Sexual Assault	Robbery	Arson	Assault	Burglary	Bribery	Narcotics	Official Miscon- duct	Perjury/ Falsifi- cation
1. Guilty plea to most serious offense	27	15	16	41	17	118	73	1	270	0	9
2. Guilty plea to lesser indictable offense	22	2	8	27	3	19	7	0	35	0	1
3. Ind. dism., plea to dis. persons offense	1	2	3	4	1	27	0	0	38	0	2
4. Guilty at trial, most serious offense											
a. Jury	3	0	1	1	0	0	0	0	1	0	0
b. Non-jury	0	0	0	0	0	0	0	0	1	0	0
5. Guilty at trial, lesser indictable offense											
a. Jury	0	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0	0
6. Guilty at trial, dis. persons offense											
a. Jury	0	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0	0
7. Not guilty at trial											
a. Jury	1	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	1	1	0	0	0	0	0
8. Acceptance into diversion program	1	2	10	3	12	60	12	0	26	1	11
9. Dismissed over objection of pros.	0	0	0	0	0	0	0	0	0	0	0
10. Dismissed pros. motion or consent	3	2	7	5	5	43	8	0	118	0	2
11. TOTAL dispositions	58	23	45	81	39	268	107	1	489	1	25

DEFENDANTS WITH INDICTMENTS/ACCUSATIONS DISPOSED BY OFFENSE CATEGORY AND MANNER OF DISPOSITION

MANNER OF DISPOSITION										
	Theft	Forgery/Fraud	Weapons	Child Abuse/Endanger	Gambling	Wiretap	Obstr. Gov't Oper.	Fail to Register	Other	TOTAL
1. Guilty plea to most serious offense	131	8	125	29	0	0	41	9	24	954
2. Guilty plea to lesser indictable offense	10	0	7	8	0	0	122	0	0	161
3. Ind. dism., plea to dis. persons offense	15	3	1	1	0	0	2	0	0	107
4. Guilty at trial, most serious offense										
a. Jury	1	0	0	0	0	0	0	0	0	6
b. Non-jury	0	0	0	0	0	0	0	0	0	1
5. Guilty at trial, lesser indictable offense										
a. Jury	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0
6. Guilty at trial, dis. persons offense										
a. Jury	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0
7. Not guilty at trial										
a. Jury	0	0	0	0	0	0	0	0	0	1
b. Non-jury	0	0	0	0	0	0	0	0	0	2
8. Acceptance into diversion program	35	12	17	11	0	0	22	0	20	255
9. Dismissed over objection of pros.	0	0	0	0	0	0	0	0	0	0
10. Dismissed pros. motion or consent	40	7	48	6	0	0	12	4	7	317
11. TOTAL dispositions	231	30	198	55	0	0	89	13	51	1804

**POST-CONVICTION ACTIVITIES
AND MISCELLANEOUS COURT ACTIVITIES
BY TYPE AND OUTCOME**

POST CONVICTION ACTIVITY AND OUTCOME	NUMBER
1. Krol hearings involving the prosecutor's office	28
2. TOTAL post-conviction relief applications/briefs filed involving the prosecutor's office	23
a. Defendants granted relief	1
b. Defendants denied relief	12
c. Defendants granted relief in part/Denied relief in part	0
d. Defendants dismissed/Withdrawn	0
3. TOTAL habeas corpus petitions/briefs filed involving the prosecutor's office	0
a. Defendants granted relief	0
b. Defendants denied relief	2
c. Defendants granted relief in part/Denied relief in part	0
d. Defendants dismissed/Withdrawn	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	0	0	0	0	0	0	0
2. Investigations opened during the year	0	0	0	0	5	3	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	0	0	0	0	5	5	0
4. TOTAL Investigations completed during this year (add a. - d.)	0	0	0	0	5	5	0
a. Resulting in criminal charges	0	0	0	0	0	0	
b. Referred to other agency for criminal prosecution	0	0	0	0	0	0	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed - No further action	0	0	0	0	5	5	
5. Investigations pending or inactive at the end of the year	0	0	0	0	0	0	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	0	N/A	N/A	N/A	N/A	N/A	0
2. Investigations opened during the year	0	N/A	N/A	N/A	N/A	N/A	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	0	N/A	N/A	N/A	N/A	N/A	0
4. TOTAL Investigations completed during this year (add a. - d.)	0	N/A	N/A	N/A	N/A	N/A	0
a. Resulting in criminal charges	0	N/A	N/A	N/A	N/A	N/A	
b. Referred to other agency for criminal prosecution	0	N/A	N/A	N/A	N/A	N/A	
c. Referred to other agency for civil or administrative action	0	N/A	N/A	N/A	N/A	N/A	
d. Closed - No further action	0	N/A	N/A	N/A	N/A	N/A	
5. Investigations pending or inactive at the end of the year	0	N/A	N/A	N/A	N/A	N/A	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	6	3	1	2	27	39	0
2. Investigations opened during the year	6	5	0	1	47	60	1
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	12	8	1	3	73	98	1
4. TOTAL Investigations completed during this year (add a. - d.)	7	2	1	1	28	39	0
a. Resulting in criminal charges	3	0	0	0	4	7	0
b. Referred to other agency for criminal prosecution	0	0	1	0	0	1	0
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	0
d. Closed - No further action	4	2	1	0	24	31	0
5. Investigations pending or inactive at the end of the year	5	6	0	2	29	59	1

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	0	0	0	0	0	0	0
2. Investigations opened during the year	135	5	0	0	0	140	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	135	5	0	0	0	140	0
4. TOTAL Investigations completed during this year (add a. - d.)	71	5	0	0	0	81	0
a. Resulting in criminal charges	27	1	0	0	0	28	
b. Referred to other agency for criminal prosecution	0	0	0	0	0	0	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed – No further action	44	4	0	0	0	44	
5. Investigations pending or inactive at the end of the year	69	0	0	0	0	69	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	0	58	0	0	0	0	0
2. Investigations opened during the year	0	85	0	0	0	0	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	0	143	0	0	0	0	0
4. TOTAL Investigations completed during this year (add a. - d.)	0	60	0	0	0	89	0
a. Resulting in criminal charges	0	4	0	0	0	0	
b. Referred to other agency for criminal prosecution	N/A	N/A	0	0	0	0	
c. Referred to other agency for civil or administrative action	N/A	N/A	0	0	0	0	
d. Closed - No further action	0	65	0	0	0	0	
5. Investigations pending or inactive at the end of the year	0	83	0	0	0	0	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	74	6	0	0	0	80	0
2. Investigations opened during the year	69	12	0	0	0	81	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	143	18	0	0	0	161	0
4. TOTAL Investigations completed during this year (add a. - d.)	86	13	0	0	0	99	0
a. Resulting in criminal charges	37	2	0	0	0	39	
b. Referred to other agency for criminal prosecution	0	0	0	0	0	0	
c. Referred to other agency for civil or administrative action	9	0	0	0	0	9	
d. Closed - No further action	40	11	0	0	0	51	
5. Investigations pending or inactive at the end of the year	57	5	0	0	0	62	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	0	0	0	0	0	0	0
2. Investigations opened during the year	4	0	3	6	68	81	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	4	0	3	6	60	73	0
4. TOTAL Investigations completed during this year (add a. – d.)	4	0	3	6	60	73	0
a. Resulting in criminal charges	4	0	3	3	33	43	
b. Referred to other agency for criminal prosecution	0	0	0	0	0	0	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed - No further action	0	0	0	3	28	31	
5. Investigations pending or inactive at the end of the year	0	0	0	3	0	0	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	204	7	1	3	11	226	0
2. Investigations opened during the year	466	16	1	2	2	487	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	670	23	2	5	13	713	0
4. TOTAL Investigations completed during this year (add a. - d.)	341	0	0	0	0	341	0
a. Resulting in criminal charges	40	0	0	0	0	40	
b. Referred to other agency for criminal prosecution	2	0	0	0	0	2	
c. Referred to other agency for civil or administrative action	15	0	0	0	0	15	
d. Closed - No further action	284	0	0	0	0	284	
5. Investigations pending or inactive at the end of the year	329	23	2	5	13	372	0

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	0
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	0
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	0
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	0
a. Defendants indicted	0
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	1,692
a. Defendants with complaints administratively dismissed	N/A
b. Defendants with complaints downgraded to disorderly persons offenses	N/A
c. Defendants with complaints referred to Family Court	N/A
d. Defendants with complaints presented to grand jury	1692
2. Defendants with original charges presented to grand jury on direct presentment	2
3. Defendants charged through accusation	451
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	1,692
a. Defendants indicted	1,675
b. Defendants no billed and remanded to municipal court	N/A
c. Defendants no billed/no action	17

**Formulas may not tally as a result of cases carried from prior year due to Covid-19.

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	7
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	0
2. Defendants with original charges presented to grand jury on direct presentment	7
3. Defendants charged through accusation	0
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	0
a. Defendants indicted	0
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

** Formulas may not tally as a result of cases carried from prior year due to Covid-19

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	38
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	27
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	0
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	27
a. Defendants indicted	27
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

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DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	4
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	0
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	12
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	0
a. Defendants indicted	0
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

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DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	39
a. Defendants with complaints administratively dismissed	5
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	7
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	0
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	7
a. Defendants indicted	7
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

**Formulas may not tally as a result of cases carried from prior year due to Covid-19.

**DISPOSITIONS OF ORIGINAL INVESTIGATIONS
RESULTING IN CRIMINAL CHARGES**

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	56
a. Defendants with complaints administratively dismissed	8
b. Defendants with complaints downgraded to disorderly persons offenses	4
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	25
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	10
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	25
a. Defendants indicted	24
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	1

*Formulas may not tally as a result of cases carried from prior year due to Covid-19.

**DISPOSITIONS OF ORIGINAL INVESTIGATIONS
RESULTING IN CRIMINAL CHARGES**

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	40
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	1
d. Defendants with complaints presented to grand jury	17
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	6
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	17
a. Defendants indicted	17
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

**Formulas may not tally as a result of cases carried from prior year due to Covid-19.

APPELLATE WORKLOAD AND DISPOSITIONS
Appellate Division and Other Appellate Courts

County: Mercer

Year: 2023

APPELLATE WORKLOAD AND DISPOSITIONS/OUTCOMES	Appellate Division Appeals						NJ Supreme Court Appeals	U.S. and Other Court Appeals (specify court)	TOTAL
	Criminal referral cases	Other criminal appeals	Criminal Inter-locutory	Juvenile	Law Division (de novo)	Civil			
1. Appeals pending at beginning of the year	16	0	0	0	0	0	12	n/a	28
2. Notices of appeal received/filed	21	12	0	0	1	0	11	n/a	45
3. Appellate motions, motion responses filed	0	0	4	0	0	0	0	n/a	4
4. Appellate briefs filed	11	12	4	0	0	0	11	n/a	38
5. STATE Appeals and - TOTAL DISPOSED Cross Appeals	0	0	1	0	0	0	0	n/a	1
a. Conviction or order affirmed	0	0	1	0	0	0	0	n/a	1
b. Conviction or order reversed	0	0	0	0	0	0	0	n/a	0
c. Remanded or judgment modified	0	0	0	0	0	0	0	n/a	0
d. Withdrawn or dismissed	0	0	0	0	0	0	0	n/a	0
e. Affirmed in part/Reversed and or remanded in part	0	0	0	0	0	0	0	n/a	0
6. DEFENSE Appeals - TOTAL DISPOSED	16	12	3	0	0	0	16	n/a	47
a. Conviction or order affirmed	11	11	3	0	0	0	0	n/a	25
b. Conviction or order reversed	3	0	0	0	0	0	0	n/a	3
c. Remanded or judgment modified	2	0	0	0	0	0	0	n/a	2
d. Withdrawn or dismissed	1	1	0	0	0	0	0	n/a	2
e. Affirmed in part/Reversed and or remanded in part	0	0	0	0	0	0	0	n/a	0
7. Appeals pending at the end of the year	15	0	0	0	1	0	1	n/a	17

APPELLATE WORKLOAD AND DISPOSITIONS Law Division

APPELLATE WORKLOAD AND DISPOSITIONS/OUTCOMES	MUNICIPAL COURT APPEALS -- BY TYPE OF VIOLATION					TOTAL
	Criminal	Disorderly Persons	Motor Vehicle	Municipal Ordinances	Other	
1. Appeals pending at beginning of year						
2. Notices of appeal received/filed						
3. Appellate motions, motion responses filed						
4. Appellate briefs filed	Per AOC, no information received from the courts, this page left intentionally blank.					
5. TOTAL APPEALS DISPOSED						
a. Conviction or order affirmed						
b. Conviction or order reversed						
c. Remanded or judgment modified						
d. Withdrawn or dismissed						
6. Appeals pending at the end of the year						

JUVENILE WAIVER DECISIONS

1. Voluntary Waivers at Juvenile's Request	1
2. Juvenile Waiver Motions by Prosecutor	
a. Pending at Beginning of Year	3
b. Motions Filed by Prosecutor this Year	0
3. Juvenile Waiver Decisions (Prosecutor's Motions)	
a. Waived on Prosecutor's Motion with Juvenile's Consent	2
b. Waived on Prosecutor's Motion without Juvenile Consent and after a Hearing	1
c. Motion Voluntarily Withdrawn by Prosecutor	0
d. Waivers Denied	0
e. Total Decisions (sum of 3a through 3d)	3
4. Juvenile Waiver Motions filed by Prosecutor Pending at Year's End (2.a. + 2.b. - 3.e.)	0

VICTIM/WITNESS NOTIFICATION SERVICES

NOTIFICATION SERVICES	NOTIFICATION PROVIDED TO					
	VICTIMS		Lay WITNESSES		Law Enforcement WITNESSES	
	YES	NO	YES	NO	YES	NO
Initial contact	X		X		X	
Administrative dismissal	X		X		X	
Remand to municipal court	X		X		X	
Indictment returned	X		X		X	
No bill	X		X		X	
Acceptance into pre-trial intervention	X		X		X	
Guilty plea	X		X		X	
Not guilty at trial	X		X		X	
Guilty at trial	X		X		X	
Sentence	X		X		X	
Parole	X			X		X
Disposition of juvenile cases	X		X		X	
Applied- PTI	X			X		X
First Appearance (CJP)	X			X		X
Release	X			X		X

**VICTIM/WITNESS ASSISTANCE
 SERVICES PROVIDED**

VICTIM/WITNESS ASSISTANCE SERVICES	SERVICE PROVIDED TO			
	VICTIMS		WITNESSES	
	Juvenile Cases	Adult Cases	Juvenile Cases	Adult Cases
INFORMATION AND REFERRAL SERVICES				
Introductory brochure	X	X	X	X
Criminal Justice system orientation	X	X	X	X
Case information	X	X	X	X
VCCO referral	X	X	X	X
Social service information/referral	X	X	X	X
Crime prevention information/referral	X	X	X	X
Property return information	X	X	X	X
Witness fee information	X	X	X	X
Public education, community awareness	X	X	X	X
LOGISTIC SERVICES				
Stand-by subpoena and call	X	X	X	X
Witness waiting area	X	X	X	X
Response to witness intimidation, harassment	X	X	X	X
Restitution recommendation at sentencing	X	X	X	X
VCCO claim assistance	X	X	X	X
Social service intervention	X	X	X	X
Employer/student intervention	X	X	X	X
Travel, lodging assistance	X	X	X	X
Transportation assistance	X	X	X	X
Child care assistance	X	X	X	X
Property return assistance	X	X	X	X
Witness fee assistance				
Victim impact statement assistance	X	X	X	X
Counseling	X	X	X	X
Relocation assistance	X	X	X	X
Other (specify)				

MISCELLANEOUS ACTIVITIES

ACTIVITY	NUMBER	VALUE
1. Notice of intention to solicit funds received.	129 (LETA REQ.)	
2. Expungement applications received.	0	
3. Total number of forfeiture actions	261	
4. Number of motor vehicles obtains through forfeiture action(s)	9	
5. TOTAL value of property forfeited (add a-c)	\$326,124.73	
a. Cash forfeited.		\$181,898.73
b. Value of forfeited motor vehicles		\$26,676.00
c. Value of other forfeited property		\$117,550.00
6. County vehicles taken out of service sold at auction.	\$35,303.00	

Auctions were held during the calendar year resulting in \$179,529.00.

Property Description	Cash Value
1 MIAMI CUBAN LINK 14K ROSE GOLD BRACELET	\$14,500.00
1 MIAMI CUBAN LINK 14K ROSE GOLD NECKLACE	\$31,050.00
1 AUDE MARS PIQUET ROYAL OAK WATCH	\$53,000.00
1 ROLEX WATCH	\$19,000.00
TOTAL	\$117,550.00

2004 PARKER BOAT	\$14,050.00
2002 HONDA CR80	\$1,500.00
2006 HONDA ACCORD	\$1,951.00
2009 FREIGHTLINER CASCADIA TRACTOR	\$4,900.00
2008 FORD ESCAPE STATION WAGON	\$1,025.00
2013 FORD TAURUS	\$2,300.00
2008 BMW SEDAN	\$950.00
TOTAL	\$26,676.00

County Vehicles Sold

2003 MERCEDES-BENZ 55 AMG SEDAN	\$5,650.00
2011 CHEVROLET IMPALA	\$2,600.00
2011 CHEVROLET IMPALA	\$751.00
2006 CHEVROLET IMPALA	\$1,951.00
2010 FORD FUSION	\$1,700.00
2015 JEEP WAGONEER	\$7,700.00
2010 CHEVROLET IMPALA	\$1,050.00
2010 CHEVROLET SILVER IMPALA	\$1,700.00
2014 FORD EXPLORER SUV	\$2,300.00
2013 FORD EXPLORER SUV	\$2,701.00
2008 HARLEY DAVIDSON MOTORCYCLE TRAILER	\$4,000.00
2013 DODGE VAN	\$3,200.00
	\$35,303.00
GRAND TOTAL	\$179,529.00

ADULT DEFENDANTS WITH BIAS CRIME RELATED CHARGES DISPOSED

	TOTAL	NUMBER CONVICTED		ACQUITTED	DISMISSED	DOWNGRADE/ REMAND
		PLEA	TRIAL			
Number of defendants disposed	3	1	0	0	2	0
Number of defendants for whom application for extended term of imprisonment made	0	0	0	0	0	0
Number of defendants for whom application was granted	0	0	0	0	0	0
Number of defendants for whom application was denied	0	0	0	0	0	0
Number of defendants for whom simple assault was upgraded to 4th degree crime	2	1	0	0	1	0
Number of defendants for whom harassment was upgraded to 4th degree crime	0	0	0	0	0	0
Number of defendants who had both an upgrade to a 4th degree crime and an application for extended terms	0	0	0	0	0	0

JUVENILE DEFENDANTS WITH BIAS CRIME RELATED CHARGES DISPOSED

		NUMBER CONVICTED				
	TOTAL	PLEA	TRIAL	ACQUITTED	DISMISSED	DOWNGRADE/ REMAND
Number of juveniles disposed	0	0				
Number of juveniles waived for adult prosecution	0					
Number of juveniles for whom application for extended term of imprisonment made	0					
Number of juveniles for whom application was granted	0					
Number of juveniles for whom application was denied	0					
Number of juveniles for whom simple assault was upgraded to 4th degree crime	0					
Number of juveniles for whom harassment was upgraded to 4th degree crime	0					
Number of juveniles who had both an upgrade to a 4th degree crime and an application for extended terms	0					

POLICE PURSUIT SUMMARY REPORT

Agency: All Municipal Departments, MCPO and MCSO	County: Mercer
Reporting Period: January 1, 2023 through December 31, 2023	
Person completing report: Lieutenant Nancy Diaz	Date completed: March 22, 2024
Phone number: 609-989-6997	

1. Number of pursuits initiated	59
2. Number of pursuits resulting in accidents	19
3. Number of pursuits resulting in injuries (NO DEATHS)	1
4. Number of pursuits resulting in death	0
5. Number of pursuits resulting in arrest	9
6. Number of vehicles in accidents	
a. Pursued vehicles	19
b. Police vehicles	1
c. Third party vehicles	
7. Number of people injured	
a. Pursued vehicles	1
b. Police vehicles	
c. Third party vehicles	
d. Pedestrians	
8. Number of people killed	
a. Pursued vehicles	
b. Police vehicles	
c. Third party vehicles	
d. Pedestrians	
9. Number of people arrested	29
10. Number of pursuits in which a tire deflation device was used	

Section IV.14B

PROFESSIONAL STANDARDS SUMMARY REPORT FORMS

Agency: Mercer County Prosecutor’s Office
 County: Mercer
 Reporting Year: 2023

TABLE 1 -- COMPLAINTS FILED

Type of Complaint	Anonymous Complaints	Citizen Complaints	Agency Complaints	Total Complaints
Excessive Force		12	0	12
Improper Arrest		4	1	5
Improper Entry		1		0
Improper Search		9		9
Other Criminal Violation	1	8	1	10
Differential Treatment		2	1	3
Demeanor		27		27
Domestic Violence			8	8
Other Rule Violation	32	28	23	83
TOTAL	33	90	26	149

PROFESSIONAL STANDARDS SUMMARY REPORT FORMS

Agency: Police Departments, Sheriff's Office and Mercer County Prosecutor's Office
County: Mercer
Reporting Year: 2023

TABLE 2 -- AGENCY DISPOSITIONS

	Sustained	Exonerated	Not Sustained	Unfounded	Administratively	Total
Excessive Force		5	7			12
Improper Arrest		4				4
Improper Entry						0
Improper Search		5		4		9
Other Criminal Violation	2	3	6			11
Differential Treatment		1	2			3
Demeanor		11	3	5		19
Domestic Violence						
Other Rule Violation	11	12	16	3	11	53
TOTAL	13	41	34	12	11	111

PROFESSIONAL STANDARDS SUMMARY REPORT FORMS

Agency: Police Departments, Sheriff's Office and Mercer County Prosecutor's Office
County: Mercer
Reporting Year: 2023

TABLE 3 -- COURT DISPOSITIONS

Court	Cases Dismissed	Cases Diverted	Acquittals	Convictions
Municipal Court				
Superior Court				
TOTAL				

BUDGETS AND EXPENDITURES

ACTIVITY	YEAR	Total Operating Budget (excluding Grants)	Total Grants Funding
1. TOTAL actual expenditures, prior report year (include all County, State and Federal funding)	2022	\$16,207,367	\$1,448,874
a. Salaries and Wages		\$14,673,743	\$854,451
b. Other Expenses		\$1,533,624	\$594,423
2. TOTAL Budgeted Appropriations, current report year (include all County, State and Federal funding)	2023	\$16,487,500	\$1,732,727
a. Salaries and Wages		\$14,967,218	\$1,255,128
b. Other Expenses		\$1,520,282	\$447,599